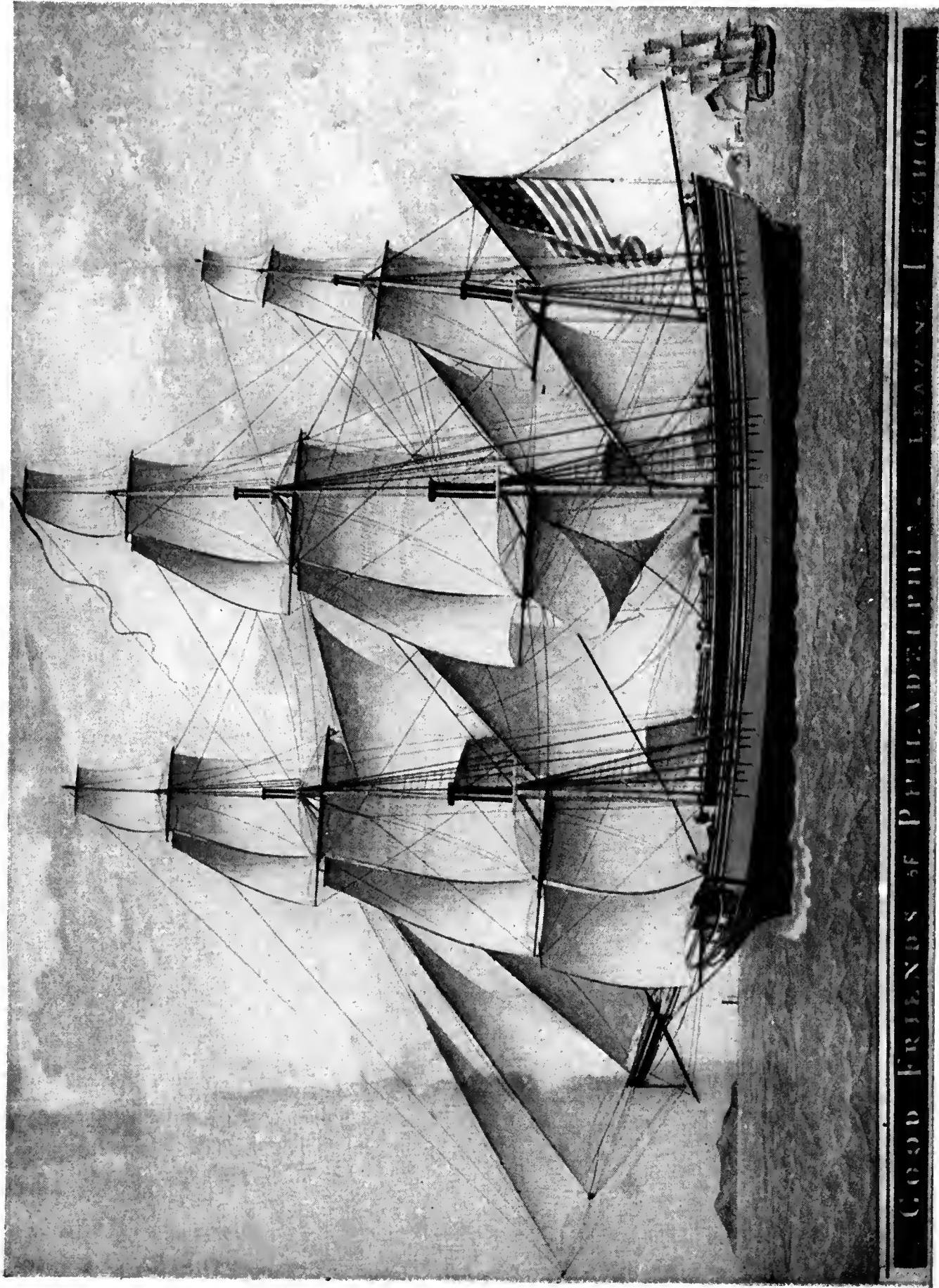


**THE LIFE AND TIMES OF
STEPHEN GIRARD
MARINER AND MERCHANT**

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GOOD FRIENDS, 246 TONS
Bought and rebuilt 1792. Captured by the British 1813

THE LIFE AND TIMES OF STEPHEN GIRARD

MARINER AND MERCHANT

BY
JOHN BACH McMASTER

Professor of American History, University of Pennsylvania

*WITH ILLUSTRATIONS IN COLOR
AND DOUBLETONE*

VOLUME II



PHILADELPHIA AND LONDON
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THE LIFE AND TIMES OF STEPHEN GIRARD MERCHANT AND MARINER

VOLUME II

CHAPTER I

INTENT OF THE IMPORTER; THE BERLIN DECREE

MAY sixteenth, 1803, Great Britain declared war on France, but really on Napoleon, and opened a struggle which ended on the field of Waterloo. Napoleon, acting with his usual promptness, seized the neutral Kingdom of Naples, and sent an army to overrun and occupy Hanover, of which King George was Elector. Great Britain then blockaded the mouths of the Elbe and the Weser, and Napoleon, July 15, by a decree barred from every port of France any vessel which had cleared from Great Britain. But he did not stop with that. He forced Spain to purchase safety by the payment of 72,000,000 francs a year, exacted from Portugal as the price of neutrality 1,000,000 francs a month, and made preparations for what was believed to be the invasion of England; moved troops from the Rheinish frontier to the shores of Picardy; formed camps at Utrecht, Bruges, St. Omer, St. Malo; gathered one army at Boulogne and another at Etaples, and raised by popular subscription, a great sum of money with which to build a flotilla of flat bottomed boats for moving troops across the Channel.

Believing great profit would come to the merchants of the United States from the exclusion of British ships and vessels from French ports, the correspondents of

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Girard now hastened to set forth the advantages of their respective markets.

"You have no doubt already heard," said one, "that the Elbe has been blockaded by the English. Your communications with Hamburg will therefore be interrupted. * * * If you find that you can make a margin by sending us a lot for your account, I could have it imported by a French vessel after being unloaded six leagues from here (Antwerp). Prices ought to go up with the approach of winter. There has never been a more favorable time for ventures from America * * * The Batavian Government has adopted the same prohibitive measures as ours in regard to merchandise coming directly or indirectly from England; they are to be confiscated when they are brought into our ports."

"This is a good time," said another in Le Havre, "to begin an active correspondence for your flag is free and respected by the English and your commodities are much in demand. * * * You must not neglect to take out a certificate from the Consul of the French Republic stating that the merchandise was loaded in America for this country and in his presence on whatever vessel you may load it."

"The banks of the Elbe, belonging to the Hanoverian Country," said a third, in Hamburg, "being occupied by the French, the English Government has thought it necessary to declare the River Elbe in a state of blockade and has sent for the purpose some frigates and other small vessels to the mouth of said river to prevent any ships entering the Elbe or going out of it. * * * Such vessels as are bound to Hamburg, Altona or Glückstad are shewn to Tönningen, a small place on the river Eyder belonging to the King of Denmark, about 80 English miles from here. Goods can there be unloaded and transported to

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Hamburg through the interior of the country by land and by water without great expense.

"It is very little doubt this strong measure to shut up our rivers, will not be of long duration. All the Northern Powers, particularly Prussia and Denmark being too interested in the navigation of the Elbe will certainly take some steps to arrange matters by one way or the other, and England itself most assuredly is as great a loser as any of the other countries. The River Weser, though at the moment not yet shut, will undoubtedly share the fate of the Elbe, which is expected every day."

"Our port," said a fourth, in Le Havre, "still escapes blockade, but you have no doubt heard of the blockade established by the English at the mouth of the Elbe, the Weser and the Scheldt, which has cut off every kind of commercial intercourse with Antwerp, Hamburg and the Hanseatic towns. There is absolutely no business in our city and nothing whatever is doing though our entire stock of provisions amounts to very little." Strobel and Martini reported the same condition at Bordeaux. "But the stagnation cannot be of long duration and we are persuaded that a short space of time will not only revive the demand but also enhance the value of West Indian produce with us."

So great was the distress that "The Government," an Antwerp house wrote, "has granted permission to the owners of vessels sequestered at Dieppe and elsewhere to export within three weeks where they please after giving securities, the above mentioned merchandise in goods of French make. The same permission has been granted to the owners and consignees of the American ships which have lately arrived in this port without being provided with the certificates required by the Decree of the 1st Messidor last. The numerous failures that have taken

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place in Paris, both on account of the detention of the merchandise, brought by the above mentioned vessels in Dieppe and elsewhere, as the result of the great business depression in Bordeaux and all the seaports of ancient France, Hamburg, Amsterdam and London, have induced the government to admit the introduction of this merchandise without any further trouble, and to demand no other security than the interested parties, in order to make sure that the goods are re-exported as ordered. The Bank of France will also advance six millions to merchants on these goods. This measure will have a good effect and will relieve many firms greatly in need of assistance. * * *

"One of my friends in London assures me that the American flag will be respected. He had a conference with your minister Mr. Monroe, who informed him that Lord Hawkesbury had given a positive assurance in the matter. Vessels with a certificate of American ownership will be liberated and the costs paid by the captors. You know that the English Government has paid £1,200,000 for American prizes taken during the last war. With regard to France all you will have to do is to comply with the formalities required by the 1st Messidor last."

"Communication between France and England is again interrupted," wrote a firm at Le Havre, "and one is obliged to correspond by way of Denmark and Sweden. The Elbe and Weser are again closely blockaded preventing all communication with the northern ports, where the English allow no vessel either to enter or depart. Both sides are showing incredible activity in their preparations for war, and we feel sure that the invasion of England will take place this winter; if it succeeds God knows what will be the issue. * * *

"Although our port is not blockaded business is absolutely at a standstill and arrivals are practically nil. * *

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This is the result of the large failures that have occurred in Paris and the others they have brought in their train."

A firm in Bremen urged consignments via Embden.

A house in Rotterdam wrote: "Our Government has judged proper to alter and modify the rigid terms and execution of said decrees of 5th July, by passing a later decree under date of 1st Nov., to the following purport:

"1st. that Neutral vessels will be freely admitted which have been necessitated to stop in a port of Great Britain by distress of Weather, want of Provisions, contrary Winds, &c. provided no bulk of their cargoes will have been broken or any goods taken in them.

"2d. That no Certificates will be required of such Merchandise as by their nature cannot be the produce of England or its Colonies. In consequence of this extension it is obvious that Americans in particular cannot apprehend any difficulties whatever in coming to this Market."

When these letters reached Girard the *Liberty* was on her way to the Isle of France, and the *Rousseau*, *Good Friends* and *Voltaire* on their way home, the one from the Isle of France and the others from Calcutta.

The *Good Friends* on her arrival in February was made ready for a voyage to the Isles of France and Reunion, with an assorted cargo and 1974 doubloons, amounting in all to \$55,308.53. Her supercargo was Mr. Daniel Adgate, son of Mr. William Adgate, who lost his life while working with Girard in the Yellow Fever days of 1793. The *Rousseau*, with Mr. George W. Biddle as supercargo, was dispatched to Antwerp with a cargo invoiced at \$292,315. There she was to procure "in as secret a manner as possible 150,000 Spanish Milled dollars," and clear for Canton. The *Voltaire* arrived home in May with a cargo worth \$325,513, and was at once cleared for St. Petersburg. Her sailing day was Friday, concerning which Girard had no superstition.

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"I cannot help noticing that in addition to that ship going to sea on Friday, which is the day on which that vessel sailed from this port, or from our capes, ever since her first voyage, that you should have left the city on the 10th of May, went to sea on the 11th, and that on the 12th I should have received your letter advising me of your sailing. We must take for granted that such unparalleled circumstances will terminate by a successful voyage; indeed I am so fully impressed with that idea that I have not yet made any insurance on that ship or cargo. * * *

"I am informed that it often happens that, when a large public sale is offered at Antwerp, that those who have the charge thereof, will clandestinely appoint persons to bid at the sale in order to raise the price of the goods. Although I do not wish any goods to be sold below their value, yet I do not think it is just that people should be induced to come from a great distance to attend a sale conducted as before mentioned.

"Being desirous to do what is right I recommend you to have the price of goods valued before the sale commences, and if the price at the public sale does not come up to said valuation, or to what is deemed a reasonable price, I request you to purchase yourself on my account the goods which will not reach your limit."

By November the *Voltaire*, *Good Friends* and *Liberty* were all in Philadelphia, and within a month were one by one sent to sea, the *Liberty* to Lisbon and St. Petersburg, the *Good Friends* to Leghorn and the Isle of France, the *Voltaire* to Santander, the Cape de Verde Islands and home. The value of the four cargoes was \$286,541. To these ships another was added in May, 1804. "As I have already two philosophers," Girard wrote Branu, "I have named this ship *Helvetius*."

When ready to sail in December, Captain Bowen, who had been chosen to command her, was instructed to

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proceed to Antwerp, deliver his cargo and be ready to go on "to the coast of Coromandel and Bengal and from there back to this port." The value of the cargo was \$123,041.36. As soon as it was delivered at Antwerp the *Helvetius* was to be put in ballast and with \$250,000 in Spanish milled dollars sail for the East.

As the new year opened the five vessels reached their ports of discharge in safety. The *Liberty* came to a fine market. Her destination was Lisbon, but on entering that port she was cleared for Cadiz, where flour was selling at \$22 per barrel.

The cargo sold at Cadiz consisted of 2052 barrels and 220 half barrels of superfine flour which, packed in the hold of the *Liberty*, cost Girard \$10.68 per barrel. The sale at \$22.50 per barrel on board yielded a profit of \$11.82 per barrel, or, less the commission, some \$25,000.

The *Voltaire*, laden with 3149 barrels and 185 half barrels of flour, might have reached the same market had her captain been a man of more determination. She arrived at Lisbon in January, 1805, and in her turn was sent on to Cadiz, "where flour is quoted at \$20, and \$21 the barrel."

On the way she was boarded by a lieutenant from the British ship *Glory*, one of the blockading squadron, and warned not to enter the port of Cadiz. "I told him," said the captain, "I should then go to St. Lucar. They hail me by the admiral's orders forbidding me to go to St. Lucar and Cadiz as I should be liable to capture but was at Liberty to seek a Market Elsewhere. In this Case I knew not how to proceed having no authority to risk your property. I stood near the Squadrant to consult on the business. A 74 stood after me to prevent me as I supposed from getting in there. I accordingly made up my mind for Lisbon and found myself escorted by this 74 till they see my intentions for going on to Lisbon. They

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lay 5 days quarantine on me here for being boarded." A copy of the endorsement sent by Captain Earl reads, "Boarded by Lieutenant Andrews of His Majesty's ship *Glory* and warned off from entering the port of Cadiz being in a state of blockade."

A de Tastet & Co. of St. Sebastian, to whom the cargo of the *Voltaire* was consigned and who sent it to Cadiz, were sorely displeased when they heard what had happened. "As we looked forward to the pleasure of informing you of the safe arrival of your ship *Voltaire* in Cadiz and the sale of your flour for at least 22 piastre dollars per barrel, which is the price obtained on board for cash for the flour on the *Neptune*, Captain Delano, which sailed 15 days ahead of the *Voltaire*, we were exceedingly sorry to learn through letters from Captain Earl and Messrs. John Bulkeley & Son that the vessel has put into Lisbon and unloaded her flour there which will mean a loss to you of 15 to 20 thousand dollars.

"What Captain Earl tells us of the difficulties he had to contend with because of the presence of the English cruisers seems to us very strange because we know that neutral vessels loaded with provisions enter Cadiz and other ports of Spain every day without being molested in the least and that the British government has given orders to its cruisers not to molest anyone, even *if the cargo appears to belong to the enemy*. We had made sure of all these facts before we decided to send the *Voltaire* to Cadiz and had no reason to expect that an American navigator, with a cargo of American products belonging to an American, would have to contend with the difficulties Captain Earl says he encountered. * * *

"It is now the 25th * * * The more we think of the Admiral's strange caprice which prompted him to prevent the vessel entering Cadiz, and Captain Earl's weakness

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in allowing himself to be intimidated at such an unfortunate time, the more we regret the change of destination which is to cost you so dear. If he had only tried once more the worst that could have happened to him could have been to be taken to Gibraltar where he certainly would have obtained liberty in 24 hours."

Girard found no fault with Captain Earl, and after the return of the *Voltaire* he was sent to Havana with flour and sundry goods valued at \$69,611.14.

The *Good Friends* reached Leghorn in February, but hearing that the prices for the goods she carried were better at Genoa, Mr. Adgate sent a part of the cargo to that port.

Loaded on "three Genoese Pinks," it was carried to the port of Varignano. Thence the goods went to Genoa. The net proceeds amounted to \$113,000. "In one of my letters," wrote Mr. Adgate from Genoa, "I mentioned to you, as one of my reasons for embarking your property, the fears I had of the speculation and chicanery of Leghorn which experience has fully proven were not without foundation. Through the assistance of the Guard of the ship, Merchants, Brokers and Lighteners, aided by the whole host and band of Vilans of the place, I find they cheated Captain Thompson and Mr. Jackson out of three bales of coffee and also robbed a great number of bales of coffee and pepper of a few lbs. each. We applied to the Police of Genoa and had the Captains arrested and have recovered from them £8671. They have given to the Police of this place the name of every person concerned. The whole has been done in Leghorn, it was a plan laid before the ship began to discharge her cargo. They paid duties on them at the Custom House." It was late in June before the *Good Friends* set sail.

The *Rousseau* had found a good market at Canton, and had sailed away with a Custom House certificate

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written in Chinese characters on a huge sheet of rice paper. She carried teas and silks worth \$128,869 and left a balance of \$16,880, "with which I am somewhat at a loss what to do," wrote Mr. Biddle, "as such a circumstance not having been contemplated I have no instructions on that head."

That the *Rousseau* would be allowed to enter a Dutch port was doubtful. She had no certificate for the cargo and crew from a French Consul: but Mr. Werbrouck undertook to find a way and by chance succeeded.

"I have had the honor of entertaining in my house Prince Joseph Bonaparte who made a short stay within our walls. I did not allow this opportunity to escape but approached him about the introduction into the port of Antwerp of your ship *Rousseau* from China. I have just received a letter from his Imperial Majesty granting the request. The letter from Joseph Bonaparte reads:

"I have received a letter from the Emperor, my dear Sir, informing me that orders have been given for the free entrance of the ship you expect from China into the port of Antwerp. I am delighted dear sir, to have had this opportunity of obliging you."

A voyage of 144 days brought the *Rousseau* to Delfzich, whence the captain and supercargo set off for Embden.

Matters having thus been arranged, Mr. Branu went to Antwerp to represent Girard and look after the sale. Since the opening of the year he had been at Paris pressing the settlement of the claims of Girard in France. Taking up the cases of the *Nancy* and the *Kensington*, he presented petitions to the ministers of France and the United States, and sent another to the Emperor concerning the *Kitty*. Nothing came of the appeals.

Taking up the claims already liquidated, he was astonished to find that in some cases the amount awarded had been cut down. No change had been made in the special indemnity for the embargo of the *Good Friends* amounting

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to 11,854 livres; but the award for L'Etombe's draft, for the 150 barrels of flour, and for the draft on Genet had been reduced from 36,628 livres to 34,524 livres. When payment was made he received 31,898.50 francs as the equivalent of 32,352 livres, 5 sous 4 deniers tournois, or at 5.33 francs for one dollar, \$5981. In this amount the draft on Genet was not included, but 10,276.48 francs were allowed as "the value of the merchandise from the *Good Friends*." The draft of Sonthonax on Genet was settled with Captain Congdon.

Branu in his petition to the Emperor concerning the *Kitty* had asked permission to sue General Collot, Governor of Guadeloupe when she was condemned. The Emperor made no reply. But, "In the meantime something has happened which may in the end affect the matter favorably. General Collot is dead. I heard of it by the mearest accident.

"Not knowing where he lived, I adopted the plan of calling on all the justices of the peace, as I felt sure that one of them would have been called in to place the seals, and the plan succeeded. On Mr. Lagrange's advice I at once protested against removing the seals unless I was called on in order to protect your right because of the unjust, invalid and arbitrary confiscation of the brig *Kitty* and her cargo, pronounced without right or title by the said General Collot, at that time Governor of Guadeloupe, on the 26th January, 1794, by which confiscation you were illegally and arbitrarily despoiled of \$30,669.51 or 165,512 60/100 francs."

"Learning from the said magistrate that the seals were to be broken on the 5th, I went to the house of the deceased on Boulevard St. Martin Maison Che No. 69, where I found M. Flamert, an old friend of his whom I had known in Philadelphia and who was a little surprised to see me. Then I told the Clerk of the Court that I did

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not protest against the removal of the seals, but did protest formally against the disposition of anything belonging to the estate in order to protect your rights * * * I do not know what will be the result of this step; but in any case it can do no harm."

By July the Sonthonax matter was settled and four drafts on the Treasurer of the United States were sent amounting to 13,900.40 francs, or \$2606.34. When tried before a lower court the attachment against the disposal of any money belonging to the estate of Collot was sustained, but on appeal was rejected by a higher court.

In September 32,242.92 francs, or \$6049.34, was paid as indemnity for the embargo of the *Good Friends* at Bordeaux. For all claims thus settled, the L'Etombe draft, the 150 barrels of flour, the merchandise in the *Good Friends*, the Sonthonax draft and the indemnity for the embargo, Girard received 78,041.82 francs, or \$14,632.93.

In a letter to one of his correspondents Girard requested a "candid opinion respecting political events as far as it relates (to) commercial interests." The events were well worthy of consideration even from a commercial point of view. The French Republic had ceased to exist. In its place was the Emperor Napoleon. Spain, since December 1804, had been at war with Great Britain, a new coalition composed of Great Britain, Russia, Austria, and Sweden had been formed, and the army of the Emperor was in the field. Moving rapidly eastward from Boulogne, the French captured Ulm, took Vienna in November and in December crushed the allied armies of Austria and Russia at Austerlitz. Russia then withdrew from the coalition, and Austria made peace at Pressburg.

On the sea events had not been so favorable to the Emperor. Early in the year the squadron at Rochefort put to sea, visited the West Indies and returned. In

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March the squadron at Toulon broke through the blockading fleet of Nelson, joined the Spanish ships at Cadiz, went to the West Indies and, with Nelson in pursuit, returned in July.

Had the orders of Napoleon been carried out, Admiral Villeneuve would have gone at once to Brest, raised the blockade and, joined by the vessels in that port, entered the Channel and protected the descent on England. Great was the anger of the Emperor, therefore, when he heard that after a little sea fight which resulted in driving off the British fleet blockading Ferrol, Villeneuve had entered the roadstead which lies between that port and Corunna. Thence he should have gone to Brest; but he sailed instead to Cadiz and there remained till ordered by Napoleon to force his way out and sail for the Mediterranean.

What effect these events had produced on the commerce of the world was duly reported to Girard by his correspondents in accordance with his request. A Liverpool house, complaining of the dullness of trade, said:

“This unusual depression is not to be attributed to any considerable increase in our general importations. The unsettled state of the continent has shaken that confidence so necessary to trade. * * * The attack on our West India possessions and the dispositions shown by the French to harass our trade, in every possible way, has also materially tended to distress business in general.”

“The Toulon Squadron passed through the Straights of Gibraltar on the 9th ult. (May, 1805) and has effected a junction with the Spanish fleet; their force together amounts to 18 sail of the line and 6 frigates; it is said to have 12,000 troops on board: their destination is at present a matter of general speculation. Ireland, the East and West Indies and even the Brazils are mentioned. No

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intelligence has, however, been received of their track: but it is generally believed that they are gone to the West Indies. Part of Lord Nelson's fleet was seen off Carthagená on the 20th ult., trying to get through the Streights, and it is confidently hoped that he may still come up with them. In consequence of these movements a General Embargo has been laid on all English ships in our ports and the greatest exertions are made to augment our squadrons. A detachment of 12 sail of the line from the Channel fleet is immediately to be despatched to the West Indies. The premium on American vessels have, as we conjecture, returned to their former limits of 40 per cent.

"Since our last of yesterday we have received advices from London stating that the treaty with Russia which has been so long depending is said to be at last brought to a sort of conclusion. On Thursday a messenger arrived with a copy of it ratified by the Emperor of Russia. It is described to be a treaty offensive and defensive, to take effect however, only in certain events. The Emperor of Russia stipulates to join this country with a certain number of ships, and with all his land forces against France unless Bonaparte agrees to certain terms of peace in which the General interests of Europe shall be provided for. In order, therefore, to ascertain the view of Bonaparte on the subject, it is stated that a Russian Plenipotentiary has gone to meet him at Milan, and to offer the mediation of Emperor Alexander for the restoration of peace. It is also understood that the treaty with Russia leaves room for the accession of other Powers and it is thought probable that Sweden will accept a subsidy. In consequence of this news corn and Flour are looking up.

"*The Viper* cutter, just come in, states, that on the 5th instant she spoke with a Guernsey Privateer which had seen the French and Spanish fleets, on the 3d instant,

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Lat. 44, Long. 15 West steering a s. w. course. This account rather favors the opinion that they are going to Ireland; but it is still generally believed that a combined attack on our West India possessions is the object they have in view."

In June the Liverpool house was still without "any certain information as to the intention of the Emperor of Russia, though it is generally believed he is very hostile to the present plans of France. Sweden endeavours to shew her disapprobation of that spirit of aggrandizement, which marks the conduct of the French Government, as far as her situation allows her, but the close intimacy which subsists between Austria, Prussia and France, leaves very little prospect of a general coalition taking place at least for this season. The Rochefort squadron, it is generally believed, returned safe to that port, from the West Indies, on the 19th ult. (May). We have no certain information respecting the combined French and Spanish squadrons since they left Cadiz on the 10th April, though it is reported a captain of a vessel, from the Brazils arrived at Lisbon, saw them near the Cape de Verdes on the 19th do. The premium on American ships to the Northern ports continues at 40s per cent, but in consequence of the recent capture of the *Susannah*, Wrigley, from hence to New Orleans, and the *Eliza*, Evans, from Jamaica to do. (both Americans) our Underwriters ask at present from four to five guineas per cent on those risks."

Stephen Cathalan American Consul and merchant at Marseilles, believed that

"The war between Spain and Great Britain having put a stop to that trade this way, the Americans will carry on the greater part of it; it is they who will principally supply us with East and West India, and United States produces, as long as the war lasts."

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At Bordeaux in June prices were "so low on account of the calm due to the uncertainty of political conditions that peace itself could not bring them down any lower, and, unless peace is concluded, which, unfortunately is not at all likely, all kinds of commodities will rise."

"You have probably already heard what is going on in the colonies," wrote Mr. Werbrouck from Antwerp, "where we have a squadron which appears to be doing something there, and another partly Spanish and partly French, made up of 18 vessels and frigates with troops, which seems to have taken the same route. If that is the case it will stir things up in the Colonies and the negotiations with Europe may be interrupted. The last news from Europe does not indicate that there is the slightest appearance of peace. At the present moment there is an absolute calm in business on account of the numerous arrivals of Americans here and in Holland. But this state of affairs cannot last. We shall hear of some important event before two or three months are over."

A fortnight later he wrote again "to give you the news of the day. The French fleet which left Rochefort for the Colonies in the winter has returned to L'Isle d'Aix having finished its cruise most successfully. It took prizes from the English amounting to more than 120 millions tournois, victualled our colonies and left 5600 men in St. Domingo.

"The combined fleet of Toulon and Spain which has a strength of 18 to 19 ships of the line, frigates, etc., has now been at sea 50 days. It has 6000 to 8000 men aboard and it was at first thought it was destined for the Islands, where it was to assist in the operations of the Rochefort fleet; but as the latter has returned to France, it is believed it is on its way to the Great Indies. * *

"Admiral Nelson, deceived as to the destination of our Toulon fleet of which I have just spoken, went to look for

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it on the coast of Egypt. He was at Gibraltar on the 8th of May. Another English fleet appeared at Lisbon on the 9th of May and was about to enter the harbor; but when the Spanish and French ambassadors threatened to retire at once the Court of Portugal sent the fleet away. That makes a *casus belli* for England against Portugal if the English Government is strong enough to pursue the old policy of arrogance. Fortune appears to be frowning on it a little."

At Hamburg, a correspondent wrote: "The general complaint of dullness in commerce can apply to no place more justly than to ours. We live in complete lethargy and the uncertainty what effect the sailing of the combined French and Spanish fleets will have on the commercial world puts a stop to all kinds of speculative operations."

When at last the combined squadrons were heard from, Messrs. Barclay, Salkeld & Co. issued another circular. "The news just received of the arrival of the combined squadrons at Martinique has almost occasioned a suspension of the sales of West India produce, as neither buyer nor seller knows how to act. * * The late capture of four vessels in succession from this port (Liverpool) to New Orleans, has occasioned a considerable sensation among our Underwriters. They ask currently 8 to 10 guineas per cent. on these risks, both out and home, and some will not write them at any premium. If some steps are not taken to put a stop to the depredations committed by the cruizers in that quarter, the trade must very soon be at an end from the very enormous premiums that will be demanded."

A London house writing in July said: "We are very uneasy here about the combined squadron which arrived in Martinique about the 15th of May and may do a great deal of harm in those waters, or may attack Jamaica if

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the island has not been warned by Lord Nelson who left the Mediterranean to go after the said squadron."

The dullness of trade in the seaports of Europe was indeed a matter of serious concern to the merchants of our country. But the blow which most damaged their trade and seemed likely to drive the greater part of it from the ocean came not from Napoleon but from the High Court of Admiralty in London.

Great Britain, by Order in Council in 1794, bade commanders of war vessels and masters of her privateers seize, and send in for adjudication, such neutral ships as were found trading directly between any port in the French colonies and any port in France. During four years this Order remained unchanged, but in January, 1798, a new Order issued and to the colonies of France were added those of Holland and Spain.

To the merchant traders of our country this restriction on direct trade brought little hardship. The West Indian possessions of Holland, France and Spain lay off their doors. To load at the ports of one of them, sail to an American port, and there re-export their cargoes to the mother country was a small matter when such a visit would break the forbidden direct voyage and make the trade safe.

The only question to be determined was what constituted a break in the voyage, a true re-export. Was it necessary to break bulk and land the cargo on American soil, or might it remain on the ship? Was it necessary to actually pay the duty, or was the usual bond to re-export sufficient? These questions were answered by the British High Court of Admiralty sitting in London in 1800.

An American ship named the *Polly*, laden with sugar and cocoa purchased at Havana, entered Marblehead, paid the duties, landed the boxes and hogsheads on the

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wharf, underwent repairs, and when these were completed and a new insurance and a new clearance obtained set sail for Bilboa in Spain. On the way she was seized by a British vessel and brought in for adjudication. When the case came on appeal before the High Court it decided that the importation was honest, that the voyage had been broken, and restored the *Polly* and her cargo to the neutral claimants.

Another American ship, the *Mercury*, had gone to Havana for sugar and when off the port of Charleston was searched by a British privateer. Her papers showed Charleston was her destination and she was allowed to finish her voyage. At Charleston she remained just long enough to get a clearance for Hamburg and without breaking bulk or putting an article on shore set sail. But she had not gone far from port when she was stopped and examined by the same privateer that overhauled her as she was going in a few hours previous. The ship, the captain, the cargo were at once recognized and in spite of protests and new clearance the *Mercury* was sent before the nearest prize court and condemned. An appeal was taken and the High Court ruled that the stop at Charleston was for the sole purpose of pretending to break the voyage, pretending to begin a new one, and that as the cargo had not been disturbed no real importation had been made and the voyage was therefore continuous, direct and illegal.

Shortly after this the treaty of Amiens put an end to the war and trade went back to its old channels. When war was renewed in 1803, direct trade between an enemy and her colonies was again forbidden and direct trade between a neutral and an enemy again allowed by Great Britain provided the neutral ship had not, on the outward voyage, supplied the enemy with goods contraband of war.

The proviso was new; but, supposing the rulings of

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the Court made during the last war would hold during the new, the merchants of the United States engaged more deeply than ever in trade between the Continental Powers and their colonies, and in a little time almost all the colonial trade of Europe was in their hands.

This trade Great Britain now attacked by paper blockades and admiralty decisions. In January, 1804, she blockaded the ports of Martinique and Guadeloupe, in April Curaçoa, and in August the coast of Europe along the Straits of Dover and the Channel.

In June of 1805 came the great blow. An American ship called the *Essex* loaded at Barcelona in 1800 for Calcutta, but because of the difficulty of getting specie the Captain disregarded orders, returned to the United States, entered Salem, put the cargo ashore and after some repairs set sail with the same goods for Havana. On the way thither he was captured and sent into New Providence, where ship and cargo were condemned. An appeal was taken and in 1805 the Lords Commissioners confirmed the decision because the importation into the United States was with the intent to transship the goods to a Spanish colony and was an invasion of the Rule of 1756. July 23 the similar case of the *Enoch* came before Sir William Scott. In rendering decision he said: "The rule of law in voyages of this kind is now, after much deliberation, laid down by an authority (meaning the Lords Commissioners in the case of the *Essex*) which binds me, that the circumstances of landing the goods or securing the duties does not furnish complete evidence of the termination of the voyage. It is necessary and must be proved that the original intention was that the ship go to the country to which she belonged. If it does appear that the original intention was that the ship should go to the neutral country merely for the purpose of touching

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there and immediately pursuing her voyage that will not protect the vessel. It must be treated on the footing of one continuous voyage from the colony to the enemy of the mother country."

Towards the close of September, London newspapers announcing this ruling began to reach our ports. One, on August 7, 1805, announced that an order had gone out to all cruisers to detain all American vessels laden with property not the product of the United States. American ships, it was explained, were accustomed to go to the Isle of France and the West Indies, and bring the produce of those countries to French and Dutch ports. On the way they would touch at some American port to give their cargoes the appearance of American property, well knowing that such cargoes were never intended to be landed. It was to stop this fraud, the London newspapers said, that the order had been issued.

Every ship from England now brought news of seizures of American vessels. A gentleman in London wrote to a friend in Boston that from twenty to twenty-five sail had been brought in and that the captains reported they were told, when taken, that orders had been issued to detain all American ships having colonial produce on board; that according to a late decision of Sir William Scott all West Indian produce was colonial property; and that no transshipment in time of war could make it otherwise. The captain of a Newburyport ship reported his capture by a frigate which sent him into Yarmouth. The only pretext assigned was, he said, that the greater part of the cargo consisted of produce of an enemy's colony; that purchase by an American and importation into the United States did not neutralize such property; and that under a late decision of Sir William Scott more than twenty American vessels, he knew, had been captured.

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Against this attack on our commerce Monroe protested to Lord Musgrave, was told that no orders had been issued, that the Rule of 1756 was good law, that the government did not intend to lessen the severity of Sir William Scott's decision, and the captures continued.

In Philadelphia the Chamber of Commerce met one day in November to take into consideration the state of commercial affairs, and appointed a committee to collect information from plundered merchants and send a statement of the spoliations with a remonstrance to the Department of State. A circular letter was also sent to Chambers of Commerce in the seaports great and small.

No sooner, therefore, had Congress assembled than strong appeals came in from Newburyport, Salem, Boston, New Haven, New York, Philadelphia and from Baltimore. The people of Norfolk and Portsmouth in Virginia met and adopted resolutions which they sent to the House of Representatives. The merchants of Charleston joined with the Insurance companies in an appeal to the Senate.

The response of Congress was the passage of the non-importation Act of April 28, 1806, an act which forbade, after November 15th, the importation from Great Britain, Ireland or the Colonies, of leather or articles made of leather, of goods of which silk, hemp or flax was the chief component, articles made of tin or brass, woolen cloth, woolen hosiery, window glass, silver and plated ware, paper, nails, spikes, hats, millinery, playing cards, and clothes ready made. Collectors of customs were given power to search vessels, shops, dwelling houses and buildings for prohibited goods, and a new form of oath was required of masters of vessels, owners, importers and consignees.

By the middle of August, Baring & Co. were able to give some advice concerning the effect of Scott's famous decision. "We have been in hope of being able to give

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our friends in America, with the information of the detention of American vessels bound to Ports of the continent, some explanation of the grounds of this proceeding that they might govern themselves accordingly. * * * Our Courts maintain the principle that a neutral may not trade directly between the colonies and the mother country of our European enemies, and as a necessary consequence of that principle it has been decided that merely stopping at their own Ports to change the ship's Papers and afterwards proceeding to Europe is equally as illegal as a direct voyage. Landing the cargo and paying the duties were considered by our Admiralty as terminating the first voyage; but this doctrine has been reversed by the decision of a higher Court and a new principle is thereby introduced of tracing a continuity of the voyage. the former plain and intelligible line being abandoned it is difficult to say where the new one can be drawn, and almost every American cargo coming to Europe being more or less exposed by this uncertainty, has induced our Cruizers to bring them in, and not, as has been erroneously supposed, any general order for that purpose."

Therefore Messrs. Baring & Co. advised:

"1. Not to send forward to Europe any cargo on the same ship and in the same shape it is imported in from Batavia or any colony of the enemy.

"2. When it is possible to mix Colonial with American produce, coffee and sugar with tobacco, rice or cotton, etc. which will prove the cargo to be made up in America and if the shipper can prove by certificate or otherwise, that the goods are purchased on the spot, and not imported, it will be an additional security.

"3. Ordering the Vessell for a Port in the Channel for orders instead of proceeding directly to an enemy's port, might for the present materially add to the security.

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“4. No vessel should be ordered out with specie nor even in ballast from Holland, Antwerp etc. to Batavia, the Isles of France or other of the enemy's colonies, but all voyages should be to and from America.”

Girard at once replied: “I sincerely thank you for your kind and early advice on that subject. Although I do not cover my property, nor do I take freight on board of my ships, yet I import sometimes East India and colonial produce which, when here, cannot be sold without making a sacrifice; in that case it is natural that I should seek for a more favorable market.”

A London letter of September fourth announced that “Merchants engaged in trade with the United States have sent a deputation to Mr. Pitt vigorously protesting to the government against the detention of American vessels. Mr. Pitt replied that the court would restore all American and innocent property as the intention was only to injure the enemy. It is believed that American property even if it consists of colonial products will not run any risk provided it has changed hands or been loaded in the United States: but if a cargo is taken on in the colonies and the vessel merely puts into one of your ports the property might be condemned unless the two governments make some special arrangement about the matter. In the meantime cruizers continue to stop not only American vessels going to and coming from ports belonging to the enemy, but also neutral vessels found making the same voyages. If the enemy adopts the same policy it will be impossible to trade with any degree of security. * * *

“The combined squadron after entering Ferrol, put to sea again with reinforcements and is now at Cadiz where the English hope to blockade it but in our opinion the united navies of France, Spain and Holland are too strong and have too many resources to be easily subjugated. It

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would have been better if they had let Spain alone. It appears that Russia and Sweden are siding with England; but Austria's decision is not quite as clear as her desire. In spite of all this the belief that a plan is on foot to invade the Country has never been stronger."

The invasion was not to take place. Barclay, Salkeld & Co. in a circular letter issued in November, after stating prices current, reported: "We have just learned that a most severe engagement has taken place on the 21st of October between the combined fleets from Cadiz, consisting of 33 sail of the line and the squadron under the command of Lord Nelson consisting of 27 sail of the line. Nineteen of the enemy's ships struck and one blew up. The country has, however, experienced an irreparable blow in the death of Lord Nelson who was killed towards the close of the action by a musket ball in the breast. We look forward to the most beneficial results from this victory, as it will greatly tend to restore that confidence both here and on the Continent which is so highly serviceable to business in general."

Mr. Werbrouck doubted that the British had won. At the close of a long letter describing in detail the victorious progress of the French he said: "If the prevailing impression that the sceptre of war belongs to our Emperor and that France has absolute power, on land, is true, it appears from current rumors of the day that until a happier time the empire of the seas has been given to her rivals. These unofficial rumors inform us of a naval fight between the united French and Spanish fleet that is at anchor in the bay outside of Cadiz, and that of Admiral Nelson. The combined fleet, it is said, lost several vessels in this fight; but the English bought them very dearly by the death of their beloved admiral, hero of the Nile, their demi-god Nelson. However, these rumors are too indirect and improbable to be credited."

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"The attention of the commercial world," wrote a correspondent in Antwerp, "seems entirely absorbed with the important events passing in the theatre of war. The Austrians and Russians are driven back in every direction. Prussia has declared an armed neutrality. The French troops are at no great distance from Vienna, and many people flatter themselves with the hope of a speedy peace, indeed, report says that the preliminaries of peace are already signed."

On December third came Austerlitz, which brought from M. Werbrouck long and joyful letters and lengthy extracts from "*La Gazette Nationale ou Moniteur Universel*." England in the opinion of M. Werbrouck was doomed.

"When peace with Austria and Russia is concluded, our troops will return to the sea coast frontier and a happy chance *may* crown with success the bold project of invading England. A clever minister succeeding him who swore never to make peace with France would be wise to seek to disperse the storm which sooner or later must break over his country. The best way to accomplish this is to make peace."

Girard was greatly puzzled by the news thus brought by every ship from Europe, and in November wrote Sir Francis Baring & Co.: "I am at a loss to know how to act in order to prevent my ships and cargoes from being captured and perhaps condemned, under the indefinite principle of *Original Intention*."

"Although I am one of those neutral merchants who has ever since the year '93 strictly observed and complied with the laws of Nations, and the several treaties of commerce between the U. States and the belligerent power, and that I never did purchase or sell any prize vessel or Goods, or suffered my Supercargoes, Captⁿ or Consignees to do it on my account, yet I import Cargoes from foreign Countries into this place, and in all cases of importation

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of Goods suitable for this and foreign Markets my intention is uniformly to reship the whole or such parts of the cargo which cannot be sold here with advantage. In regard to selling here, whenever a favorable opportunity offers, it is a matter of fact, which cannot be denied, not one can suppose that a merchant in his senses will prefer to reship his Goods to a foreign country where he will run the risk of a fluctuating market, subject to political circumstances, than to realize them in his own country when some profit can be obtained. Self interest is too powerful on mankind to admit any doubt on that head. Therefore no sound reasoning or argument can establish under those circumstances a decisive *Intention*. Consequently the principle of *Original Intention* must be solely applied to the act of a neutral merchant who covers property belonging to a subject of the belligerent powers, by importing Goods and 're-shipping' them per order and on account of *said* subject, &c. to the colony or Mother country of the power at War."

To his correspondent at Leghorn he wrote: "Although I have two of my ships in this port, the conduct of some of the belligerent powers, towards our flag, will perhaps prevent me to adventure your way."

The two ships in port were the *Voltaire*, lately returned from Havana and the *Rousseau*.

The former, in charge of a new Captain, Robert Wilson, was sent to Charleston, with flour and \$15,000 in notes of the Bank of the United States. The notes and the proceeds of the flour were to be invested in cotton. "Although my intention is to have the ship *Voltaire* dispatched from Charleston for a port in Europe and back to Philadelphia the present gloomy prospect has prevented me to fix on the European destination of that ship, consequently I reserve to send you further instructions."

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The further instructions bade the Captain sail for Antwerp. On January the eighth accordingly the *Voltaire* left Charleston with a cargo of logwood, rice and cotton, valued at \$45,500.

As to the *Rousseau*, Sir Francis Baring & Co. were notified that "not being able to sell here 1900 boxes of sugar and twenty-nine scoons of Guatemala Indigo, with some Campeachy wood, which I have imported into this place, from the Havana, in August and September last, I intended to ship them on my account, on board of the *Rousseau*, but the contents of your last, with several decisions of your Admiralty Court, published in our Newspaper, have electrised me to that degree as to induce me to make a second effort to dispose of that colonial produce even at a small sacrifice.

"As the season is too far advanced to select a cargo suitable for the European Market, I will freight or charter that ship, if possible, for a port in Europe and will write you more fully by that opportunity." When "that opportunity" came he said, "although my sugar and indigo have continued to be advertised in several of our newspapers I am sorry to say that not a reasonable offer was made to me nor do I see any prospect of a chance to sell those articles before our navigation is closed by ice. That disagreeable circumstance lays me under a great embarrassment, particularly as I have already paid \$11,000 for the first instalment of Duty due on those goods, three months after the importation and that I have the mortification to see that valuable property daily exposed to danger of fire and to the accumulating expenses occasioned by Interest, Storage & other charges.

"My unpleasant situation has naturally led me to take a decisive resolution, consequently I have resolved in case I cannot in a few days sell the Goods before

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mentioned, I will export those on my account in the ship *Rousseau* to a neutral port in Europe. * * * Having constantly acted as a strict neutral I have no partiality for any particular country, consequently should you be of opinion that France or Holland will offer better market for the sale of the ship *Rousseau's* cargo than any other be so obliging as to request my Capt. to proceed to Amsterdam or Nantes provided it can be done without being molested."

Trieste was finally chosen as the port and thither the *Rousseau* sailed with a cargo valued at \$106,979.55, which must be sold for Spanish milled dollars.

The *Good Friends* having left the Isle of France, in January, touched at the Isle of Bourbon in February, for cotton and coffee, and March 30th was boarded and examined by the commander of a privateer. What he did and found is stated in two letters left with Captain Thompson.

"On bd the Ship Good Friends
March 30th 1806.

I hereby certify that I have boarded and examined the above Ship and to the best of my knowledge and belief there is not any article of Contraband or cover'd enemies Property on bd.

As witness My Hand
Thos Little

Command of Private Sp of War
Ainsley.

Latt. 12°. 0'. N.
Long. 40° W.

"I have likewise opened several packages of letters on bd Sd Ship."
T. L.

The second letter was given to Mr. Adgate, the super-cargo.

"Ship Ainsly at Sea 30th March

M. Adgate
Sir.

I am pleased to inform you after minutely inspecting your different papers to be perfectly satisfied with their correctness and have the pleas-

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use to assure you that I have never inspected any Vessel which is more Correct or clear as a fair trader.

I am very sorry Sir to have detained you so long but had it not been for a Certain Circumstance I should not detained you two Hours.

Your obt servt

Thos Little."

Meantime the *Voltaire*, which sailed from Charleston in January, had been boarded and sent into port. "Yesterday (February 13) of Dungyness," wrote Captain Wilson, "we were boarded by the British sloop of War *Valorous* and sent in here (Downs) under pretence of being bound to an Enemy's port, and the name of the consignee (Mr. Branu) appearing to be a French one. Our papers have been presented to the Admiral and we are now liberated and shall proceed this Evening for Antwerp."

The market at Antwerp was overstocked with cotton, rice and sugar, business was dull and the *Voltaire* was dispatched to Amsterdam. Every letter from abroad told the same story. "Times are very bad here," Mr. Bickham wrote from the Isle of France, "and it is with the utmost difficulty that Business is Transacted."

"I have the honor to inform you," said Mr. Werbrouck, "that peace between France and the Emperor of Austria was signed at Presbourg on the 27th of December at 4 o'clock in the morning. M. Talleyrand representing France and Prince John of Lichtenstein and the count de Guilay representing Austria. This is regarded as the precursor of peace on the Continent and perhaps of a general peace. There has already been granted an armistice of three months to the Electorate of Hanover.

"Our statesmen regard continental peace as assured. But that with England offers too many difficulties to be overcome, too many interests to conciliate, to hope that it will soon come. They desire it ardently and this gives a basis for the belief that they will make it. True, the

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English have lost their great influence on the continent, but they have lost nothing on the sea.

“The Queen of Naples, in spite of her sacred promise to France to be absolutely neutral, has admitted the English and the Russians to her ports. The Emperor of the French has resolved to destroy this Queen, and General St. Cyr is marching on Naples to chastise, as the Emperor said, the perfidy of her Queen and to destroy her throne.

“Hope of a better future, assurance of peace and restoration of confidence will give life to commercial affairs,” wrote Ridgeway, Mertens & Co. of Antwerp charged with the sale of the cargo of the *Helvetius*. “Our market is completely glutted with sugars, and there being no demand for them, has compelled some weak hands to sell at any price. Such as yours would 3 or 4 months ago, have sold at 48 to 49 duty paid, and we have heard that some sugars quite as good have been sold at 34-35. These are ruinous prices and we would not sell a pound of them. * * Peace being made with Austria, we are in hopes this will restore perfect tranquility to the Continent and revive trade, but rumors of peace with England are still in circulation which considerably checks speculation. However, we don’t think England can make peace very soon. Therefore if she carries on the war alone, we are in hopes this must make trade lively again on the continent.”

From Austria, by the treaty of Pressburg, was taken Venice, which was added to the new Kingdom of Italy, and the Tyrol, which was given to Bavaria, whose Elector was made an independent Sovereign. Baden, Bavaria, Wurtemberg and some smaller German States were soon after made into the Confederation of the Rhine. The King of Naples was dethroned and Joseph Bonaparte made King of Naples and Sicily; and Louis Bonaparte King of Holland. To Prussia was given Hanover on condition that

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she bar British commerce from all her ports. She accepted the terms and April 1 closed the ports of Hanover and Prussia. England at once seized all Prussian ships in her ports, blockaded the coast from the Elbe to the Weser, declared war on Prussia, April 8, and May 16, 1806, by Orders in Council put the coast from Brest to the Elbe under blockade.

"Our communication with the continent," wrote Baring Brothers & Co., who had just succeeded Sir Francis Baring & Co., "which for some time have been very circumscribed, has become still more so in consequence of the hostile conduct of the Court of Prussia who has shut her ports against the shipping of this country, and our Government has in return declared the Elbe, Ems, and Weser in a state of blockade and our cruisers are bringing in Prussian Vessels: at present the Dutch ports and Antwerp are open, but it is impossible to say what another week, or even day, may bring, although we believe you may rely on our present Government following the most conciliatory measures towards American commerce generally which the interest and safety of the country will in any way admit of."

Prevost, Schwartz & Co. were "sorry to inform you that the English Government upon the measures taken by the King of Prussia against their trade, has thought proper to blockade again the Elbe, Weser, Ems and Trave. Our neighboring port Tönning is again become our refuge and already several vessels have arrived there. If we are happy enough to obtain the same modification as by the last blockade that our goods can be transported by water in small lighter ships and barges to and from Tönning, our place will not, by far, suffer so much as the other blockaded ports."

"The Russians," said Holland & Co. of Trieste,

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“continue a strict blockade of all the ports in the Gulph occupied by the French and this is the only port of any consequence that is not blockaded. Naples we understand is also blockaded by the English.”

As early as February Girard, alarmed at the outlook in Europe, wrote Baring Brothers & Co.: “The present gloomy prospect of our commerce, owing to the daily spoliation committed on our flag, renders our situation as neutrals very precarious, indeed, I should not be astonished to see our country involved in a war in the course of two or three months.

“Should the disposition of any one of the European Powers confirm my opinion I beg that you will give the necessary directions to Mr. Robt. P. Branu, to Messrs. Hope & Co., to Captⁿ Myles McLeveen, and Mr. Mahlon Hutchinson, Supercargo of the ship *Rousseau*, and to Messrs. John Bulkeley & Sons so that the Funds which I have in Europe may be retained there, lodged in a place of safety, and not exposed to capture. In regard to the funds which I have in your hands I beg that you will take such care of them as circumstances may require.”

At the same time Mr. Branu was informed that the “spoliations committed on our flag by the British Cruizers have caused a great uneasiness throughout the United States. Indeed, the crisis is brought to such degree that our Government appears disposed to take some severe measures although I hope that the present misunderstanding will be amicably settled, yet should it prove otherwise and that this country should be involved in a War with Great Britain I recommend you to have all my Funds safely lodged on the continent of Europe, and to detain all the ships which I may have there at the receipt of this letter.”

The Union Insurance Company was then applied to

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for \$5000 insurance on the *Helvetius*, supposed to be on her way home from Madrid, and \$30,000 on her cargo, at a premium of $4\frac{1}{2}$ per cent.; for like amounts on the *Rousseau* and cargo; for \$15,000 on the *Liberty* and her cargo, and \$15,000 on the *Voltaire* and cargo.

The outlook for trade was most discouraging. Nevertheless, feeling that his ships must be employed, the *Helvetius* was dispatched to Canton with specie and a cargo amounting in all to \$123,530, and a week later the *Montesquieu*, a new ship and the sixth of his fleet, was cleared for the same port.

A letter to Baring Brothers and Co. stated his motives in sending his ship to England were:

"First, to avoid the risk which the present gloomy prospect of affairs on the continent of Europe offers to Americans.

"Secondly, the impossibility of ascertaining a neutral port where my ship will be permitted to enter without being molested.

"Thirdly, the difficulty to appoint from here an honest merchant residing in a neutral port on whom I can confer the cargo of my ship in case she should be permitted to enter that port. * *

"Therefore I request as a particular favor that on receipt of this letter you will fix on a port which will offer the greatest advantage to my interests and safety to my ship and cargo.

"Wishing to employ my ship *Montesquieu* as advantageously as possible, particularly if the present unfortunate war between France and England should continue, I intend to ship about Two hundred Thousand Dollars on my account on board the said ship for India."

Deprived of the use of the *Voltaire* and *Liberty*, then on the stocks, and believing a speculation in fish would

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be profitable, Girard now chartered six vessels. Concerning the first he wrote Mr. Ulrich of Leghorn: "Being desirous to try your market, I have chartered the schooner *Elizabeth*, William Pointer, Master, and loaded her on my account with sundry goods etc. of the first quality for your port consigned to Mr. Joseph C. Clement, Supercargo, whom I have requested to give you the preference of his business."

The value of the cargo was \$63,980.74. Having sold it at Lisbon, the supercargo was to purchase a cargo, obtain enough Doubloons or Spanish Milled Dollars to buy fruit at Malaga and come home. Should Leghorn be blockaded, the *Elizabeth* was to go to Trieste, then Malaga and home.

Messrs. Walter & Filles of Boston were next requested to charter another ship. "The object of this letter is to request that you will be so obliging as to charter at Boston, or in one of your neighboring ports, a good light vessel of about 130 tons, but no less than 110 tons, and not exceeding 150 do. burthen, well fitted in every respect and having a good master for the purpose of loading at your port with fish and to proceed as soon as possible to a port in the Mediterranean no further than Leghorn, and after the cargo is delivered, agreeable to bill of lading, at the port of destination, there the charter to be ended.

"Immediately after having chartered a good light vessel as before mentioned, I request that you will be so obliging as to purchase on my account Fifty barrels of good pickled salmon and a sufficient quantity of small dried codfish well preserved, as white as possible, and of the best kind, fit for the Mediterranean markets, observing that I prefer to pay something more than to have fish which should not rank in Europe with the best quality."

A schooner of 130 tons was found, ready to carry the fish at \$1¼ per quintal, as far as Leghorn.

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The terms were accepted and Walter & Filles were authorized "to charter a second vessel of the same Tonnage etc, qualities of vessel and master, as pointed out in my letter of the first Inst (September) for the purpose of loading at your port with cod fish and to proceed from there to one or two Spanish Ports on the Bay of Biscay at the option of the consignee."

"We have," was the reply, "engaged the schooner *Maria Winsor*, an excellent Vessel of about 130 Tons, now at Duxbury, for the Voyage. * * * and in order that we may not fail in the vessel we have engaged the preference of the Sch. *John Adams* of 120 Tons an excellent vessel also." The *Winsor* having failed to appear, the schooner *Lilach* was sent in place of her to Leghorn.

By that time Girard had written, "should you be able to charter a good vessel of same tonnage as those already chartered and complete her loading with about Ten Thousand Gallons of good whale oil and to fill up the remainder of her tonnage with cod fish of your own fishery please to make that shipment on my account to St. Sebastian."

The value of the cargo of the *John Adams* was \$10,238.46 and that of the *Lilach* \$12,751.70. The chartering of the third schooner *Diana* was followed by orders from Girard for a fourth, the *Nereid*. The fifth was the *Maria Winsor*.

Evil fortune attended the speculation. The *Diana*, bound for St. Sebastian, was wrecked.

"We are sorry to inform you that the unfortunate vessel, after sending us our packages from sea," said Tastet & Co., "took on a pilot opposite Santona and; just as we thought she was safe in our roadway and were about to order Captain Smith to go to Bilboa with the first favorable weather, she passed the entrance of the harbor

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and by some inconceivable mistake tried to enter the mouth of a small river on the other side of the mountain which separates the two openings and was immediately wrecked on the coast. This happened on Sunday the 6th inst. (December) at night fall. After this there was nothing for us to do but take what steps we could to save whatever it might be possible to save of the cargo for your account or that of the underwriters. This was done, but the debris of the wreck, the time of year, bad weather, the tides, everything was against us in this operation. However, by care, we succeeded in getting out the fish oil, all save 4 casks 2 of which were taken out empty, and a large part of the codfish. But the latter was drenched with salt water as the ship sprang a leak as soon as she grounded. The codfish that was saved was put on the beach under good tents and we intended to hold a public sale on the spot; but our Board of Health objected because of the quarantine laws. There was no alternative save give up the goods, or arrange with Captain Smith for the freight in order to be as economical as possible. This latter plan was adopted by Captain Smith and his consignees here. We agreed to remove the codfish to certain store houses outside of the city, to sell it as best we could, and allow *one half the net proceeds* for freight. Even if we only save \$400 or \$500 for each of the interested parties it will be so much saved from the wreck." The oil was likewise stored without the city limits.

When the *Winsor* arrived at St. Sebastian she was sent to Bilboa for a better market. All the codfish saved from the *Diana* was sold to a speculator. The *John Adams* put into Bilboa. The *Nereid* reached Leghorn, where the *Lilach* and *Elizabeth* had already arrived to find a poor market.

For awhile after the treaty of Pressburg it seemed as

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if peace might be made with Great Britain. Indeed, negotiations were begun in Paris; but they came to naught, and before the Autumn closed Prussia drew the sword and declared war on Napoleon.

Again he was all activity. Within a fortnight, at Jena, he brought Prussia to his feet. In less than a month he was in Berlin, and there, November 21st, 1806, issued his Berlin Decree, his answer to the British Orders in Council of May 16th, and the beginning of his Continental System by which he sought to ruin England by excluding her goods, wares, manufactures and colonial products from the continent of Europe.

In that Decree he began by charging her with violating the law of nations, treating as an enemy every individual belonging to an enemy State, making prisoners of war, not only of armed ships but of merchant vessels and even supercargoes, extending to merchant vessels, to articles of commerce, and to the property of individuals the right of conquest, which could only be applied to the property of an enemy, and declaring blockaded unfortified ports, harbors, mouths of rivers and places before which she had not a single vessel of war.

Therefore, he decreed, the British Islands were in a state of blockade and all commerce and correspondence with them forbidden. Letters or packets addressed to England, to an Englishman, or written in the English language, were to be seized wherever found. Every subject of the English crown in the countries occupied by French troops must be made prisoner of war. All property belonging to an Englishman was lawful prize. Trade in English merchandise was forbidden, and no vessel coming direct from England, or from her colonies, or having been in an English port since the decree was issued, should enter any port in France or her dependencies.

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From almost every port in Europe to which Girard had ever sent a vessel, or ever had a correspondent, from St. Petersburg, from Amsterdam, Rotterdam, Antwerp, Bremen, from the Barings, from Branu in Paris, from the captain and supercargo of the *Montesquieu* at Nantes, came letters telling of the decree and its effects on trade.

"It is impossible to give you any idea of the sensation it produced among the Mercantile people here," wrote Branu, "the dread of a strict examination of all the private documents of merchants to find such property as may have any connection whatever with England, has induced people here, and I am informed in Paris also, to resort to every means for concealing such knowledge from the Government, by destroying all correspondence etc."

"An Imperial decree," wrote Parish & Co. from Antwerp, "has just been issued from Berlin the 21st of last month, which has not yet (December 3) been published in France by which all communication with England, even by letter, is expressly forbidden. It is hard to say what the result of such a measure may be. But should it be vigorously enforced it will be impossible for us to make any remittances for your account. We would like to know in what way you would like us to use your funds. It is probable that all colonial commodities will reach a high price; sugars and coffee are now much dearer."

Grant, Webb & Co. of Leghorn feared "The decree just passed by the French Govt declaring Gt Britain in a state of blockade & of which you will no doubt have the particulars ere this reaches you, through other channels, may render it advisable for shippers from America to Europe to give provisional orders for the investment of their funds direct back in Spanish Dollars or to remit them in bills on Amsterdam or Hamburg as may be most for their interest in case the communication with England

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should continue for any time to be cut off. There can be little doubt, we think that a modification will take place soon."

Willink of Amsterdam seized "the opportunity afforded by the detention of all vessels to communicate to you the present state of our market. The decree of 21st November published by Bonaparte, and that rendered the 15 Inst by our King whereby no vessels are allowed to sail except with special consent under his Majesty's own signature, which consent, if the vessels have goods on board, is not to be given but on the proper security that they shall not be landed in an enemy's port for which purpose landing certificates of all goods shall be required; these decrees have actually some effect on our prices which generally are steady and rather advancing."

St. Petersburg was almost isolated. "Russia," said a correspondent, "has taken an active part in the present war and will we trust deliver Europe of all the calamities and misfortunes caused by the universal enemy. Navigation and commerce are likely to be in a state of perfect Stagnation next summer, if no prompt remedy is given to the evil. The French threaten to shut up the Sound to any vessel, to interrupt all communication with England. No business can be transacted at this moment with Hambro. our Correspondence with Germany, Prussia, Holland, Italy, France, Spain is more or less stopt. we have only the way of Sweden open."

From Rotterdam came the comforting assurance that "The Important and severe decree of the Emperor of France which was passed at Berlin on the 21st Ulto. putting insurmountable obstacles to the Trade between England and that part of Germany which has submitted to his army, will tend to concentrate all the orders for American and colonial produce in our Markets, so that

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next Spring when expeditions to the Interior go on again we expect very large demands from thence.

“Notwithstanding our Government has been obliged to take Measures in consequence of the aforesaid Decree, they chiefly affect those places which have been taken possession of by our troops. such as are to be enforced here prove altogether favorable to our Trade as many vexatious forms which formerly existed are done away with.”

A Bremen letter said: “The Hanse towns were also for a short time occupied by French troops. They have however left us again and the Dutch troops who are now here do not interfere with any of our privileges or rights but watch over our commerce with Great Britain.

“As we can now receive no supplies of colonial supplies from that country, we depend solely on the U. St. for those articles and we wish most sincerely that you may continue on amicable terms with the powers of Europe.”

CHAPTER II

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To the Berlin Decree of November, 1806, Great Britain made no immediate reply. That she would do so was fully expected in the ports of Europe, but almost a year passed before, in November, 1807, the retaliatory Order in Council issued. Nevertheless her attacks on neutral commerce were continued, and January 7th, 1807, by a new Order, neutral ships were forbidden to trade between two ports both of which were in possession of France or any of her allies, and due notice was served on neutrals that if a vessel were caught so trading, both ship and cargo would be lawful prize of war.

Weeks elapsed before the new Decree and the new Order in Council were known in our country, but they were felt at once in the ports of Western Europe, and from each one where Girard had a correspondent came assurances that the effect was not so serious as might be feared. Said one at St. Sebastian:

“As the British Government has not yet made reprisals against the Imperial Decree of the 21st November, and ours has taken no measure whatever to enforce it, and will probably not take any unless forced to, colonial commodities have not experienced the rise generally expected.”

In Antwerp, according to Parish & Co., “The Late Imperial Decree which cut off all intercourse with England and declares those islands in a state of blockade, has had a favorable influence in prices, tho’ it has not yet brought about that brisk demand which at first we had reason to expect.

“The apprehension that England would adopt a

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similar system of blockading the whole continent occasioned a momentary briskness; but it soon vanished when it was discovered that England had no such intention. A few days ago it was reported that differences had arose between the American & English plenipotentiaries, and that war was inevitable between England and America; but this news has not been confirmed."

At Trieste commerce continued "unmolested by the belligerent powers," Holland & Co. wrote, "and even should this country be involved in the Continental war there is reason to believe this place would escape the first shock of it."

"There is no change in our markets since our last," said Ridgway, Mertens & Co. of Antwerp, "prices keep up but there is little demand for anything. People begin again to amuse themselves with Ideas of a general peace. The french troops are gone into winter quarters in Poland, which is construed by some as an armistice and that negotiations for peace are on foot, but we have no Idea of any such thing and think it very unlikely England should be able to make peace under the present posture of things."

"I have the pleasure to inform you," said a Hamburg house, "that official notice from our American Consul has just appeared that the F. Government permits all American vessels either in ballast, or laden with free goods on Neutral account to enter or depart from hence; in consequence of which ships are now loading here, advertised to sail on the 20th instant (February) for Philadelphia, Baltimore & New York. No doubt but similar leave will be given, at the instance of the American Minister at the Court of London, by the B. Government in consequence of the late treaty. We may therefore confidently expect perfect freedom of commerce in American bottoms, likewise less interruption from belligerent powers."

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A letter from St. Pierre, Martinique, advised Girard not to send cargoes there. "Our government has just issued a proclamation concerning duties laid on foreign ships, bringing cargoes into this island. This is the substance of it:

"All foreign ships entering ports of this island with cargoes for import, and which *do not take out* a cargo equal in value to *three-fourths* of said cargo, shall pay on going out nine per cent on the excess. The other one-fourth is left to the owner free of duty as indemnity for that part of the importation remaining unsold at the time of sailing, for expenses of sojourn, storage, selling, shipping or any other.

"This duty on the excess is to be 12 pr ct., if the vessel goes out in ballast.

"A vessel shall be held as going out in ballast when the return cargo does not amount to

" $\frac{1}{5}$ the value of the in cargo, when the cargo amounts only to 60,000 colonial livres or less.

"15,000 colonial livres when the cargo amounts to 60,000 to 120,000 livres.

"20,000 livres if the cargo was worth 120,000 livres.

"25,000 livres if the cargo was 200,000 to 300,000 livres or whatever was the amount.

"The value of cargoes liable to duty of 12 pr ct., shall be determined by deducting from the total amount of the entire cargo entered, the one-fourth allowed to vessels by the article above mentioned.

"Besides these rates the Collector of Customs has an order from Government that nothing shall be entered for *exportation*. * * *

"The proclamation also mentions duties to be paid on colonial commodities exported. These duties are not to be paid at the Custom House on the cost price, but on the

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rates fixed by the Commissioner of Commerce on Monday of each week by means of a Prices-current which shall guide the customs officer in all his charges on colonial exports.

“We are now reduced to a point where we must advise our friends and acquaintances not to send to Martinique if they are not willing to accept sugar instead of cash for part of the proceeds of their cargo.”

What Girard believed would be the effect of the Berlin Decree and his anxiety for the safety of his four ships, *Good Friends*, *Montesquieu*, *Helvetius*, and *Rousseau*, then at sea, is disclosed in letters to his correspondents and supercargoes. As soon as he heard of the Decree he sent new instructions to Mr. Adgate, of the *Good Friends*, which he supposed had obtained a license and was still at London.

“While on your voyage should you receive such advices as to give you reason to believe that you cannot proceed back to Europe, without running the risk of being captured, and that the nature of your L (license) will not subject me to a penalty which will exceed Two Thousand Dollars I recommend you to come back to this port.”

The very day (February 27th) this was written the *Good Friends* sailed from Lisbon, and a letter came from Mr. Adgate announcing that the *Good Friends* had no license and that there were no papers on board to show that any part of her cargo came from Great Britain. To the Charleston house, then buying cotton for him, Girard expressed the belief that the Decree would cause a fall in the price of that staple.

“I presume ere this letter reaches you, that you will have received the Decree of the Emperor Napoleon declaring Great Britain in a state of Blockade. Should this be carried into effect as far as it relates to neutral vessels

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going to or coming from British ports, England will undoubtedly retaliate by also declaring under state of Blockade all the French ports and those belonging to her allies. It will result from that extraordinary conduct on the part of those two belligerent powers, a general stagnation of trade which will strike very heavy on the price of your produce, particularly on the article of cotton which, no doubt, will fall below your expectation and will enable you to invest the funds as before mentioned on advantageous terms."

Hope & Co. of Amsterdam were assured that while it was at all times agreeable to hear from them, it was particularly so "at a moment when the rash measures taken by the European belligerent powers throw a gloomy prospect on neutral's commerce. We have received Emperor Napoleon's decree. Its contents has alarmed our merchants and underwriters. For my own part I think that it will be prudent to suspend further shipments until we know if our flag is to be respected."

During the summer of 1807, the American frigate *Chesapeake* was attacked by the British frigate *Leopard* off the Capes of Virginia. Girard believed war might follow and writing to Thomas & Son of New York said:

"I take up my pen in view to ask your opinion on the gloomy prospect of our embarrassed commerce. The late Catastrophe which happened off the Capes of Virginia has already spread the seeds of indignation and dissatisfaction throughout the U. States. On the other hand the conduct of British cruisers carry a colouring which appears hostile to our tranquility. Although I rank among those American merchants who ever since the commencement of the French Revolution acted in every instance as a strict neutral, having uniformly rejected all proposals of

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covering property even when the apparent prospects were very brilliant, I am afraid that my ships will not pass unmolested.

"I have at present four valuable ships and cargoes at sea, one is the ship *Good Friends* Robert Thompson master. The ship *Montesquieu* commanded by Robt Wilson, ship *Helvetius* Capt Ezra Bowen, and the ship *Rousseau*, Myles McLeeven, this last is bound to Amsterdam and sailed yesterday."

"Your much esteemed favor of 6th instant we have duly received," was the reply, "& heartily join you & all Classes of Americans in deprecating the unjustifiable attack of the British on our national vessel the *Chesapeake*. Yet from the well pointed Proclamation of our President we are in hopes that Reparation will be made & our country preserved from the horrors of war & a serious injury to our commerce.

"We truly see your Inquietude at having such valuable Vessels & Cargoes at risk, as we have always understood you was in the habit of making little or no Insurance, but we trust appearances will be more favorable soon to admit the safe arrival of your ships, or to enable you to make Insurance at a moderate Premium. From your Independent mode of doing business on your Individual account we conceive your property to be entitled to every Respect, but a Rupture with the British will place all descriptions of American Property in a critical Situation, and what Industry & Prosperity has been accumulating for 20 or 30 years may be swept away in one, & even Insurance companies may be involved in ruin."

To his great relief the *Helvetius* now arrived in 120 days from Macoa. When announcing this to Thomas & Son, he said as to Insurance, "When I consider that our underwriters make very little or no difference between

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ships which are in good order, well fitted, loaded on neutral account, and ordinary vessels which are often loaded with covered property, I prefer to run the risk of my property, than to submit to the erroneous principle to make good risks pay for bad ones."

To the supercargo of the *Rousseau* he wrote: "The extraordinary conduct of the British squadron stationed on our coast particularly in the Chesapeake Bay appears hostile to the tranquility of the United States, nevertheless I am of opinion that it will not have any unfavorable issue but should our Government be forced to abandon its present system of pacification and to embark in the present European War I request that you will take every step which prudence will dictate so my funds may be lodged in safe hands subject to my orders. * *

"I am going to load my ship *Liberty*. her cargo will consist of boxes of Sugar, Cocoa and Cassia. I have not fully fixed her destination owing to the present gloomy prospects. I will perhaps order her for Libson and from there to proceed agreeable to Messrs. Bulkeley & Sons instructions which will be principally guided by commercial circumstances as either for St. Sebastian or for Cadiz."

To Lisbon accordingly the *Liberty* was sent with a cargo worth \$100,071.37. The goods were to be entered for export and Messrs. Bulkeley & Sons consulted as to the best market. "You will undoubtedly have charged us with great neglect for not answering your favors, but I can assure you that my constant occupations are the only cause which has prevented me to discharge that duty. It is now four o'clock in the morning. I have been the whole night up and constantly writing at the desk ever since six o'clock yesterday morning. This will give you an idea of my disagreeable life." The supercargo was "Mr. William Adgate, Brother of the Daniel Adgate who is in the ship *Good Friends*."

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Almost at the same time the *Helvetius*, with her cargo valued at \$121,719.64, was dispatched to Amsterdam. Great as was the risk, not one of the three vessels was insured. Why no insurance was placed on them was explained to Messrs. Baring Brothers & Co.

"On the 31st June & 13, 27 & 28 July last I had the honor to address you on the subject of my ships *Rousseau*, *Liberty* & *Helvetius*. Those ships have since put to sea, but the unpleasant conduct of the British squadron which happened some time ago in the entrance of Chesapeake Bay has alarmed the citizens of the United States to that degree as to render them very cautious, and although it is highly probable that if a war between England and this country should take place within three months that our private underwriters and insurance companies would be totally ruined owing to the great number of heavy risks which they have to the Eastward of the Cape of Good Hope, yet they act with such prudence as if they had no risks out and as if the war was unavoidable. Indeed their high rate or premium is the sole cause which has prevented me to have some insurance effected on the three ships and cargoes before mentioned. Under these circumstances and not being one of those who believe in the supposed rupture or wish to see this country involved in a war, I trust those three valuable ships and cargoes to my good fortune and uniformity of conduct as a strict neutral who adventures his own capital and does not cover the property of others." The value of the three cargoes was \$346,048.66.

Business was now depressed in every city. From Charleston came word, "In consequence of the late acts of the British ships of war on our coast business is entirely at a stand, no sales can be effected whatever."

"Trade here," Girard told Thomas & Son, "is at a

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stand. Our merchants and underwriters are generally of opinion that a war with England is unavoidable. I am fearful that there will result from that stagnation a great scarcity of money which will perhaps precipitate the failure of those houses which carry on business on a fictitious capital." To Mahlon Hutchinson, Jr., at Amsterdam he said: "Since your departure from this city business has gradually diminished and is at present in the greatest stagnation. That unpleasant situation of affairs will undoubtedly bring on several failures. I am fearful that the present lamentable state of our commerce will continue until our misunderstanding with England is amicably settled. This will point out to you the necessity of being very prudent and to retain my ships in Europe until you have a sufficient reason to believe that they will not be molested."

To Thomas & Son: "I notice that the merchants of your city are doing very little business, and that you concur with me in opinion respecting the result of the present stagnation of our commerce. Although Pangloss's principle that everything is for the best is sometimes erroneous, yet it is applicable to the present circumstance.

"There is no doubt that whenever Thunder etc. break the heavy cloud which covers our commercial horizon that the heavy shower which will result from it will clean and purify our cities of that class of men whose debauch and luxury are daily supported by the labor and industry of others.

"I hope that the great news we have received will bring in a general peace and that our difficulties with England will be settled amicably."

The great news, the treaty of Tilsit, July 1807, which followed Napoleon's great victory over the Russians at Friedland, did not bring peace. The war went on and,

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November 11th, 1807, Great Britain in a new Order in Council made her reply to the Berlin Decree.

Whereas, it said in substance, certain orders, establishing an unprecedented system of warfare against Great Britain, and designed especially for the destruction of her commerce and resources were sometime since issued by the Government of France, by which "the British Islands were declared in a state of Blockade," therefore it is ordered "that all the ports of France and her allies, or of any other country at war with His Majesty, and all other ports and places in Europe from which, though not at war with His Majesty, the British flag is excluded, and all ports or places in the colonies belonging to His Majesty's enemies, shall be subject to the same restrictions in point of trade and navigation, as if the same were actually blockaded by His Majesty's naval forces in the most strict and rigorous manner."

Other orders explaining, developing and correcting this followed, and by these it was made clear that American commerce, except to Sweden and the West Indies, must pass through some British port, pay certain duties and take out a British license to trade.

Napoleon was at Milan when he received a copy of the Orders in Council and at once replied by the Milan Decree of December 17th. By it the British Isles were declared in a state of blockade and any vessel that went into or came out from a port in the possession of Great Britain anywhere on the face of the earth, East Indies or West Indies, India or America, or entered or left places occupied by British troops, was to be seized wherever found. Henceforth any ship, whatever its nationality, which suffered a British officer to examine it, or made a voyage to a British port or paid a duty to the British Crown, was denationalized, and whether it came to a port

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in France, or to a port of an ally of France, or, on the high sea, was captured by a privateer or ship of war, was good and lawful prize.

Writing from Nantes, concerning these events in Europe, Labouchère & Trotreau said, "We transmit you here enclosed the Treaty of Peace between this country, Prussia and Russia which has just been published, supposing you will be glad to know the terms."

"We confirm the contents of our last dated 10th ult," said Paul Duret & Co. of Bordeaux on July 30th, "which announced the approaching conclusion of peace. It has since been signed by the Emperor of Russia and the King of Prussia. All hostilities have ceased on the continent, and the proposals which, they say, have been made to England by the high contracting Powers make us hope that maritime peace and freedom on the high seas will make us soon forget the evils of all kinds which a too-long continued war has inflicted on us."

Parish & Co. of Antwerp reported: "Peace is finally made with Russia probably also with Prussia, so that the Continent is once more at rest. England has not yet made known her determination either to prosecute the war or to join with the other Powers in a general Peace. In this state of uncertainty Trade is dull as ever and our prices nominal, nay, even impossible to be quoted, there being no demand whatever."

The attack on the *Chesapeake* and the demand for reparation left no doubt in the minds of merchants in the continental ports that the United States must go to war. Our trade, commerce, self-respect required it. "For these few days past our market has been a little more steady," Parish & Co. reported from Antwerp, "than before, but there is very little doing; for although it seems pretty certain England has not accepted the mediation of Russia,

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and a rupture with America is looked upon as almost unavoidable, yet buyers show themselves extremely averse from speculations." An Amsterdam letter gave a like description of the state of the market there. "In Expectation of what will be the Result of the Contest between the United States and Great Britain commerce is in a very inactive situation and no Transactions have taken place. Underwriters ask an enormous high premium. However we hope to learn by the first Intelligence that everything amiably will be settled. There is not yet any Hope for a speedy peace between England & France, and it is besides much feared that the Danish Colour too might cease to be neutral."

A Lisbon letter reported that, "Owing perhaps to the unfortunate occurrence between the Chesapeake & Leopard frigates no American vessels have lately arrived here from your continent. We shall be very happy to find that the dispute that has in consequence ensued between the American & English governments may have a speedy pacific termination."

When Mr. Hutchinson asked Baring Brothers & Co. what they thought of the prospect of war with the United States they answered: "In these extraordinary times opinions on political subjects are not worth much, and should not be too much relied on, yet we have a strong hope & expectation that the peace existing between us, so much to the benefit of both countries, will not be disturbed. The late recurrences off your coast are as much disapproved here as in America & we doubt not that every reparation the case admits of will be made. At the same time these are but opinions. No body expected a month ago that we should now be at war with Denmark."

Prevost, Schwartz & Co. gave fuller details in their letter from Hamburg, September 15th, 1807: "Since the

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news of the misunderstanding between your Government & the English all colonial & American Produces have considerably risen. The war between England & Denmark, since which all English vessels are excluded from the continent, has still more contributed to push prices to a great height as you will observe by the enclosed Price Curr. & it is impossible to conjecture how far this will go if the war & the very severe measures against all navigation should continue.

“All neutral vessels from neutral ports are still allowed to arrive at and depart from Tönning.

“Copenhagen, the residence of the King of Denmark, has been bombarded by the English during 3 days & 4 nights and has been obliged to capitulate on the 8th inst. The whole Danish fleet consisting of 15 ships of the Line and some more of smaller size remain in the hands of the English till the conclusion of a general peace.

“Everyone is in great expectation what will be the further consequences of that event & if the Spanish troops under command of Maréchal Bernadotte now here will enter the Danish territory to give assistance against the English.”

A house at Nantes reported further restrictions on trade. “Holland by her unlawful introduction of produce by the northern frontiers of this Empire has so debilitated our markets that even the reduced prices at which we sold could scarcely hold up in competition with such goods generally emburdened, by the method of their introduction from the enormous Duties which those regularly imported lay subject to.

“To prevent such abuses our Government has ordered that henceforth all goods passing the Frontiers shall be declared and weighed if coming from abroad and in every way acted with similarly.

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"This measure will repress in future all contraband Trade from that quarter (hitherto a great annoyance to us) and in depriving Holland of a very productive branch of her commerce will give to us advantages which those who know to what extent these illegal operations were carried on will easily appreciate.

"In addition to this the Custom House Laws in Holland are set on the French footing. No importations without Certificates of origin and all vessels that have touched to Great Britain will be sent Back without Benefit of Clergy.

"An Imperial Decree of such a tenor has also been issued expressly interdicting admissions of such vessels into our ports and it will be strictly adhered to."

Determined that there should be no neutrals in Europe, Napoleon now demanded that Portugal close her ports to British trade. Unable to resist, she obeyed in October. It was then too late, for Junot had already been ordered to enter Spain and march on Lisbon. He did so, and November 30th reached that city to find that the Prince Regent and the Royal family had taken ship and sailed for Rio Janeiro.

A Lisbon firm wrote, October 15: "The neutrality of this country has at last arrived at its crisis. The French & Spanish legations leave this court to day & the English, who are here, considering this as the signal for the march of the French army are preparing to depart with all possible expedition. Bread stuffs will now be rec'd here only from your country from which quarter we must also draw our supplies of Beef, Fish, Pork, Butter, Cheese & naval stores & all these must sell to a profit as there can be no competition."

Bulkeley & Son, Girard's correspondent at Lisbon, described the confusion in that city. "We are here in

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the greatest alarm for our Persons and Property. A communication from the British consul having been sent to the Merchants advising them all to retire hence without delay their residence in Portugal being no longer safe. You may imagine this has occasioned much confusion every one trying to get off his Property as early as possible. We accordingly engaged shipping and fortunately have already succeeded in getting off the greater part of our Stock."

In ignorance of this, Mr. Adgate, four days later (October 7), wrote from St. Sebastian that the *Liberty* would sail the next day for Lisbon to get salt. A week later the *Helvetius* left the Texel.

A firm in Nantes announced that the "last accounts we hear from the South seem to forbode the near destruction of Portuguese neutrality. The prince, it is said, is embarked for Brazil and our army on the frontiers ready to march. These circumstances have occasioned in a great measure the rise which has manifested itself and not without reason as we had upwards of ———— traders from Lisbon to this port." And again from the same house:

"The reports which now circulate & which mention the departure of the Prince of Brazil and all his court from Lisbon and the arrival of an English fleet in the Tagus joined to Mr. Munroe's having left England which has greatly increased the fears of a rupture between that country and yours have occasioned a great rise in the price of your articles."

When Bulkeley & Son fled from Lisbon they left Mr. Joaquin Jose Gonçalves in charge of their affairs. He now wrote that when the *Liberty* arrived he would procure the salt. Unable to enter the port, she came back to Philadelphia.

November 14th, 1807, the British Orders in Council of the

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11th were made public, and three days later Baring Brothers wrote: "The recent orders in Council which have been issued and which are calculated to produce a total & most important change in the commerce of the World not appearing perfectly intelligible, the American Merchants applied to government for an explanation. The annexed printed paper is the result thereof."

The annexed paper was the report of a committee appointed by the meeting of American merchants "to attend the Board of Trade on the Subject of the recent Order in Council." It appears, said the committee,

"That American Vessels cannot sail in any Instance direct from the Ports of the United States to any Port of the Enemy in Europe.—American Vessels may proceed from the Ports of the United States to the Ports of the Colonies belonging to the Enemy, and direct back to the Ports of the United States. The Order does not prohibit them from going direct from the ports of Great Britain to the colonial ports in the West India Islands belonging to the enemy; and it is not intended to prevent them from proceeding from this Kingdom with colonial Produce to the Enemy's ports, whenever Parliament shall have decided on the Duties to be imposed on such Exportation. American vessels may continue to trade from the ports of this Kingdom to the Ports of the Enemy, and from the Ports of the Enemy to this Kingdom, and from the Ports of his Majesty's Allies to the Enemy's Ports but not from the Enemy's Ports to the Ports of His Majesty's allies, direct, nor from America to the Ports of His Majesty's allies, with colonial Produce. There is reason to believe that an Order in Council will issue, regulating the Periods at which Notice shall be considered to have been received, of the Orders in Council of the 11th instant, in the United States of America; by which Regulations Vessels that

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have cleared, or shall clear, out from any Port in America, before the 20th of January next, shall be considered to have cleared out before notice of the Order; and Vessels, which shall clear out between the 20th of January and the 10th of February, will be detained, subject to the Question, whether they had begun to be laden before Notice had arrived at the Port from whence they sailed. From the 10th of February, all American Vessels will be considered as having begun to lode after Notice, and will thereby be subject to the Provisions of the aforesaid Order.

“Certificates of Origin will not be required to be delivered up, which may be on board of Vessels which shall have sailed previous to the Notice of this Order, at the Port from whence they sailed.

“There is also Reason to believe that no Duty is intended to be laid on re-exportation of any articles which are the Produce of the soil of Neutral Nations, with the Exception of cotton, and that the trade between this country and the Ports of the Enemy’s Colonies by Neutrals, will be regulated by License, and confined to the Export of British Manufactures, until the Meeting of Parliament; and that the Trade between this country by Neutrals, with the colonies of the Enemy in the West Indies and South America, will be placed on the same footing.”

From Lisbon, November 26th, 1807, came a letter stating “that on the 23d instant this government was notified by Sr W. Sidney Smith, commander of the British Squadron on this Station, that a strict blockade of the river Tagus was instituted & that he had orders to enforce it in the most rigorous manner. Never could this have occurred at a more unfavorable epoca, for we are not only totally unprovided with supplies of bread stuff & other provisions but are also burthened with an increased population of

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fifty thousand men composed of our own military & naval forces collected in this city or its vicinity, & of the large Russian Squadron lately arrived in our river. We are, besides, in hourly expectation of the arrival of the French army consisting of 40,000 men which has already passed our frontiers. The concurrence of these evils would reduce us to the extremity of distress if the blockade had been general, but it is fortunately confined to this river alone so that we may still receive supplies by the way of St. Ubes."

At the foot of the letter are the words: "27. The French are within a days march of Lisbon & the Prince Regent of Portugal it is said will sail to morrow for the Brazils. He has already embarked."

Messrs. Paul Duret & Co. of Bordeaux, agents of Girard in that city for the payment of the pensions to his aunt and sister, wrote on October 30th: "The order issued by your ambassador at Paris, about 15 days ago, to all American captains in our ports to sail as soon as possible, has thrown alarm and consternation into every mind more or less interested in your commerce because of the consequences which may follow. Already all colonial Goods which your vessels brought to Europe, particularly cotton and coffee, have been raised by speculators, and can only be obtained at the enclosed quotations."

Well aware that the state of political affairs in Europe would encourage speculators to put up the price of cotton, he had already reconsidered his decision to suspend shipments until our flag was respected, and towards the end of October bade his Charleston correspondent buy cotton.

"I have at present four of my ships in this port. As I am not in the habit to keep my vessels idle, their sight at our wharves is unpleasant to me, therefore I must do something with them. It is now certain that two of those vessels

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will go round to be loaded by you." Therefore Mr. Adams was authorized to buy cotton at the market price up to \$60,000. The four ships were the *Rousseau*, *Liberty*, *Helvetius*, *Voltaire*.

Three of them, the *Voltaire*, *Liberty* and *Helvetius*, were accordingly made ready.

"The colouring of our political affairs continues very gloomy; a particular friend has shown me a Letter which he has lately received from a gentleman residing in London who I believe is well acquainted with the Disposition of the British Cabinet towards the United States, by which it appears that the impressment of our seamen and the affair of the Chesapeake are trifling difficulties when compared with the favorite object of the British Government which is to prevent us from trading to the Ports of their Enemies, in the East and West Indies, and to carry colonial produce to Europe even from our own Ports. Not doubting the correctness of that advice I have abandoned the Idea of loading my ships with colonial produce. Indeed if it was not that I have several vessels which I am anxious to employ I would not venture even our own produce."

Unaware of what was about to happen at home, and disbelieving the rumors printed in the newspapers, Girard went on with his preparations, dispatched the *Liberty* to Charleston for cotton, which she was to carry to Amsterdam and then go on to St. Petersburg, sent the *Voltaire* on a like voyage to Charleston, Antwerp and St. Petersburg, and instructed Mr. Edward George, whom he had sent to Charleston to push the purchase of cotton and see to the loading of his ships: "Our city is within this eight days momentarily afflicted with dreadful news. About four days ago it was reported that Congress had suspended the non-importation act, that the French Emperor had declared to our Minister, Mr. Armstrong,

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that there should be no neutrals. Yesterday it was said that the French Government is claiming the East and West Floridas, and immediately after it was reported that an express was just arrived from Washington with the advice of an act ordering a general Embargo having passed both houses. I do not feel any way alarmed with stock jobbing speculations, but in the meantime I am of opinion that if the proposal which will be made to our government by the British Envoy who is daily expected are unacceptable that there is a great probability of an embargo being laid on all vessels. Under that expectation I beg that you will exert yourself and will press M. Adams and the Captains of my ships so they may not be detained in Charleston longer than eight days."

By the 25th Girard was aware that the embargo was laid; nevertheless he that day wrote Mr. Adams: "Not doubting that the Collector of your Customs has received the necessary instructions to put in force the bill laying an Embargo I will be silent on that subject.

"My ships *Liberty* and *Voltaire* have gone down. I sincerely hope that they will escape the vigilance of our revenue barges and will have reached your port after a short passage." The *Helvetius* "will sail in five or six days." To Mr. Edward George, Girard wrote, "In regard to the loading of my ships I beg that you will go on as if the Embargo did not exist."

Great was his surprise, therefore, when the Captains of the *Liberty* and *Voltaire* walked into his counting house. "Since I wrote you this (December 26th, 1807) morning the captains of the *Liberty* and *Voltaire* have come up from Reedy Island where they have been boarded by the revenue cutter; their unexpected visit will put me to the trouble of giving bond for double the values of my ships and cargoes and cause a detention of four or five days.

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Although I intended to dispatch them on Monday next 27th instant.

“Several vessels are taking here coasting licenses with a view to go with their cargoes to some of the Islands, it is probable that our Congress will have to make some change in the Embargo Act.” New instructions were then issued. Captain Bowen of the *Voltaire* was ordered to proceed to Charleston, and on arrival there “unbend the sails, deliver the goods which you have on board (logwood, muslin, nankeen, flour and beef) agreeable to Bill of Lading, land your ballast, and after having cleaned the hold of said ship and varnished her keelson and Ceiling in a complete manner you will receive on board the goods which my friends in Charleston will ship.”

And now new delays occurred. “Our custom house have given me more trouble than what I expected.” “In the first instance I flattered myself that a bond for double the value of my ships and cargoes would have put an end to their detention but our collector has insisted that all the Nankeens which was on board of those ships should be landed into this district, and that I should make a New Entry and secure the duty thereon as if they were just imported from a foreign port. Being desirous to avoid difficulties & further detention I complied with said collectors request and on the 29th ulto. I dispatched a New Castle boat with the two Captns and a Custom House officer for the purpose of going to Reedy Island to order the two ships up to Marcus Hook there to land the Nankeen on board of said boat and to proceed to sea. Forty-eight hours after the Captains of my two ships left the wharf all the Nankeens were landed here and stored.”

The *Liberty* sailed January first, 1808; the *Voltaire* and the *Helvetius* soon followed, and Mr. Adams was instructed to continue the purchase of cotton.

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"As there is no possibility that the cause which has induced our government to lay the present embargo will be removed before three or four months, it is probable that during its continuity Upland cotton will be sold at your place at a reduced price. In that case I beg that you will embrace the first favorable moment to purchase a sufficient quantity of that produce to load a fourth ship on my account."

Within a week the "gloomy prospect" leads to a change of mind and the orders to buy a cargo for a fourth ship are recalled.

"As there is a great probability that the present Embargo will remain in force till a negotiation between the British government and this will put an end to our misunderstanding I presume that no merchant vessels will be permitted to depart from the ports of the United States for Europe before April next. Under that apprehension I beg that you will suspend purchasing cotton on my account until further advice from me except the quantity which will be wanted to load the ships *Liberty*, *Voltaire* and *Helvetius*."

"My intention respecting the ships alluded to," Mr. George was told, "is to let them remain at Charleston with their cargoes on board until March next and if at that period there is no prospect of the present Embargo Act being repealed or suspended, I will order them back to this port."

Travel was slow in those days and the Embargo act was two weeks old before news of its passage reached Charleston. "Yesterday" (January 2, 1808), wrote Mr. George, "a corroborating news of the intention of laying an embargo has reached this place, & from what can be gathered it appears that this measure will take place very soon. Such is the general opinion here amongst the merchants.

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I am in the greatest perplexity about your ships which do not arrive, being afraid that we will have no time to dispatch them before we receive notification of the Embargo, in case it would take place. * *

"In consequence of those allarming news Mr. Adams has declined to touch the cotton till next Tuesday when we will have positive information." January 5th, 1808, he wrote: "My conjectures are realized & I have the mortification to announce to you that the order for an immediate embargo has just reached the Custom of this place * * none of your ships having yet appeared. I am in hopes that you will have been apprised in time of this measure of Congress to retain them in port."

"Since the arrival of the Embargo decree no business done except a few coasting vessels which are loading & whose owners are about calculating the best means to avoid the terms of the Act of Congress.

"Merchants in this city are placed in a very critical situation, having no other resources to get what is due to them by the Planters but to take rice & cotton which cannot help them to pay their notes daily due. In consequence of this prospect some houses have already stopped. * * *

"Cotton has fallen to 15/100. But very small quantities are offered by some wagoners at this price. The factors who are not pressed, try to hold up, but in a few days many will be obliged to sell."

By the 10th the *Liberty* and *Voltaire* arrived. But it was not till January 20th that the Charleston letters of the 5th were received by Girard and not till the 23d did he hear that his three ships had reached port. He then wrote: "Our political situation appears to take a serious change. I am now fully convinced that the present embargo will not be taken off before the belligerent powers have re-

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pealed their blockading decrees and that our Flag will be respected by them. The plan of retaining our wealth and strength at home is undoubtedly preferable than to be involved in a war by intrigue, jealousy, ambition and tyranny.

“Being impressed with the Idea that the diplomatic skill of the honorable Minister Mr. Rose will not in any way change the plan adopted by our government, it is very probable that I will give in time the necessary instructions so that my ships will set off from Charleston for this port the latter end of next month.”

January 29th accordingly orders were sent to the Captains of the three ships to be ready to sail from Charleston for Philadelphia on the 20th of February and on that day they departed. February 22d the *Good Friends* arrived from the Isle of Bourbon and early in March was sent to Charleston for cotton. The day after she sailed the *Voltaire*, *Liberty* and *Helvetius* reached Philadelphia. “I am going,” he wrote Mr. George, “to lay my three ships up with their cargoes on board until circumstances will permit me to dispatch them to a market. The amount of their expenses at Charleston exceeds my expectations.”

Before April ended the *Montesquieu* returned from Madras, and the *Good Friends* from Charleston, and all his ships were home and for many months to come were held in port by the Long Embargo. Hoping that it would soon be lifted, Girard kept his fleet for a time at his dock, but when November, 1808, came and the embargo was still on, he wrote to the Board of Wardens of the Port, of which he was a member, and asked for berths for four of his ships.

“Having several ships in this port which I am desirous to lay up during the winter, I beg that you will re-

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serve me Four Berths at Gloucester Point for the following:

Ship <i>Voltaire</i>	305 ¹⁹ / ₉₅	tons	burden.	} Loaded with cotton, rice and logwood. Stone ballast."
do. <i>Good Friends</i>	246 ⁸⁹ / ₉₅	"	"	
do. <i>Liberty</i>	252 ²⁴ / ₉₅	"	"	
do. <i>Montesquieu</i>	372 ⁷ / ₉₅	"	"	

The request was granted and the ships were removed to Gloucester Point. The *Rousseau* and the *Helvetius* remained at his own wharf.

Now that commerce was at an end and little to do in the counting house, he turned to his farm. "The stagnation of our commerce," he wrote a friend, "and the gloomy prospect of political affairs, have sometime past induced me to turn my views towards the improvement of my farm."

Records of the farm during this year afford some information as to wages and conditions of labor. Farm hands who were boarded received some, 37½ cents, and some 40 cents a day. As each meal was charged at 12½ cents their daily wages were equivalent to 75 cents and 77½ cents each working day, which then extended from sunrise to sunset. When engaged by the month the pay was \$8, \$9, or \$10, with a deduction of 37½ or 40 cents for each day absent. By the year a farm hand was paid \$110 and a good carter \$120. The women received one dollar per week. Extra hands for mowing were paid 80 cents per acre, and for threshing 6 cents per bushel. One contract reads:

"William Young agrees to move with his Family on Stephen Girards small place in Passyunk Township on the East Side of the Lower Ferry road, there to take care of all the fruits and other property belonging to said Stephen Girard, and to do all kinds of farming work, Drive teams as may be required of him by said Stephen Girard or by any other person appointed by said Stephen

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Girard for the purpose of conducting his country work and to continue on said place for Twelve Calendar Months commencing tomorrow, First June 1809 and ending on the 1st June 1810.

“Stephen Girard on his part promises to find house room for the use of William Young, his wife and children rent free, also six cords of Fire Wood and as far as Twelve Bushels of Potatoes if wanted during the course of a Year for the use of said Family, with one quart of Skimmed Milk per day, and to pay William Young for one years services One hundred and thirty two Dollars per annum.”

Another made about the same time with Jonathan Dickinson and his wife bound them to live “on Stephen Girard’s place situated in Passyunk Township on the West side of the road leading from Philadelphia to State Island.” The man was “to do all kinds of carting and Farming work agreeable to the directions which will be given to him by Stephen Girard, he will also take the greatest care of the Fences, Trees, Fruit, Carts, Waggon, Husbandry-implements, Buildings of all kinds, Horses, Cattle, Pigs, Fowls, and generally everything which grows or will be on the Places and chattels belonging to said Stephen Girard either in Passyunk or Moyamensing Township, and he and his wife will attend the Markets with milk & all other articles which will be raised on the Place, whenever circumstances will require, and will keep a regular account of all the money received, and pay the same every Saturday or oftener if required to Stephen Girard.

“Jonathan Dickinson’s Wife will do all the Work which is generally done by an industrious Farmer’s Wife particularly in the Dairy Line. She will also cook, wash & mend for the Boarders, Men, Women, Boys and Girls which Stephen Girard will judge proper to employ.

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She will keep the House, Milk House, Hen House and all other things put under her care in a complete cleanliness."

Girard was to find the house and "Bed Clothes for the hired Men, Women, Boys and Girls, also to find Fire Wood and good wholesome Provisions, as such which are generally used in the County by frugal Farmers, for the use of Jonathan Dickinson family and all the persons who will be hired or employed on the Place" and pay Dickinson and his wife \$200 per year.

Though merchant ships were held in port, the Mail Packet boat went back and forth between New York and London, and ships still came occasionally from Europe, bringing from his correspondents letters filled with reports of the effect in Europe of the Orders in Council and the Milan Decree.

On January 1st, 1808, before news of the Embargo reached Europe, Parish & Co. of Antwerp wrote: "Commercial affairs are every day growing worse. An Imperial Decree issued on the 17th ulto having authorized our cruisers to bring into our ports, there to be condemned, all neutral vessels going to, or coming from England, or those even that have suffered themselves to be visited by the English, several American ships have already been taken, and it is probable more will be brought in. Thus is all navigation put an end to and probably for some time. Trade is become extremely difficult, and there is no saying how long it may continue in that situation. Colonial produce is very scanty & holders keep the price very high. But as there can be no speculation in such precarious times, and consumers only purchase what they cannot absolutely do without, there is no fixity in the course, and it would be difficult to give any quotations. It is to be wished some change may take place for it is very much wanted."

Willink & Co. of Amsterdam wrote on the 7th of Jan-

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uary that "the late decree and events have occasioned an additional rise in prices of produce and the French have already captured two American Vessels. An embargo has been laid in the French ports on all ships whatever so that none are permitted to go to sea. What the result of all these things will be is difficult to determine. There are also a few failures here which however are of no consequence and business has been very brisk in consequence of the violent measures adopted which if continued must have an additional effect on the prices at the time that want begins to be felt."

A letter written at Nantes January 31st, 1808, but not received by Girard till the 9th of August, said, truly enough: "In fact it may almost be considered up to a miracle when a Letter reaches from over the Seas now that our port is declared in a state of blockade by the English, and very few American Vessels have the good fortune to escape. We, however, avail ourselves of a favorable opportunity to acquaint you with the actual state of our Markets. A war between your country and England seems now inevitable, and it is even expected that the first accounts from your quarters will inform us that hostilities have broken out. The English already carry into their ports all the American Vessels they meet."

"The Ports in Holland," wrote Mr. Hutchinson from Amsterdam on the 1st of February, "are now placed in the same situation as these of France, decrees of the same purport with those issued by the Emperor of the latter, have been issued by the King of the former. Several American vessels are now embargoed in this port, some have arrived and some have been captured and brought into the Dutch ports since the said decrees were published; among which are the *America* for this Port and the *Ocean* for Rotterdam, both from your place. The former was

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fired upon by the forts at the Texel to prevent her entering and afterwards boarded by the boats from the Dutch Admiral's ship and having been in England was taken possession of & brought in as a prize. The latter is not permitted any communication with the shore and will be obliged to leave Rotterdam as soon as the wind permits." The letter was sent to Nantes, "thinking it probable that there may be still remaining an opportunity for the United States from that port," and reached Girard on August 9th.

Paul Duret & Co. of Bordeaux, whom Girard had requested to procure some trees for his "place in the Neck," wrote, "the effect of the late Embargo having detained many American ships here, the shippers have made them discharge their cargoes, fearing a rupture soon between the United States and England. This suspends all communication. In this state of affairs we received the trees you ordered and which were sent us from Paris as you requested.

"Having executed this commission with all possible care we now see the impossibility of sending them to you, as the few American vessels that go out take only ballast and several of these captains have refused to take your articles on board. One, master of the *Charleston Packet*, who is willing to oblige you, and whose consignees in the city are friends of yours, promised to take them, but fate ordered that his ship should be among those sequestered and they know not yet if it will be exempt. * * * we take advantage of a ship bound for New York, whose captain is not willing to take your lucerne seed, to forward this letter." It was dated February 17th, 1808, and was received April 23d.

"The last letters from Holland," wrote Baring Brothers & Co. March 2d, "only come down to the 17th of January, and as we had last week five or six days very fair Wind for

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arrivals, and not a single letter found its way, we must conclude that the communication is entirely broken off which is very distressing to trade; and we have received advice of a fresh decree, more rigorous than any of the former ones, having been published in Holland, dated Utrecht, 23d January prohibiting all *Merchant vessels of every denomination*, except prizes, from entering the ports of Holland in consequence of which the Captains of all the American ships who have been detained here waiting in hope of receiving from the other side encouragement to proceed to Holland will probably now resolve to land their cargoes in England particularly as the duties which are about to be laid on foreign produce are not to attach to the cargoes now detained, and therefore it will be better for them, as the least of two evils, to land their cargoes in England, than to carry them back to America, under the uncertainty whether your underwriters would pay the loss that might happen on their return either by weather or capture, and the risk of the latter is much increased, as the French capture every ship they meet, going to or from England, and they further confiscate both ship and cargo arriving at their ports if they have only been visited by an English cruiser. We have the honor of waiting upon you with an extract of your account current, balanced the 31st of December last, by £61,621,12 (sterling) to your credit on new account under that date."

Just at this time a letter dated May 11th from Baring Brothers & Co. and written on the same sheet as one of April 28th came to hand bringing news of another French decree. "It now appears decidedly intended on the continent not to admit any more American vessels, the *Mary* & the *Newton* having been allowed out of the Texel and returned here and we understand that a decree of the

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French Emperor from Bayonne directs the capture of all American vessels found at sea. By this opportunity the sentiments & intentions of the two governments of this country & of France will be communicated to yours & probably occasion a final decision as to your future measures. Articles of American produce are very high at present but cannot be relied on if the embargo should be raised and particularly if your direct trade be confined to this country a very considerable decline must be produced by the supplies which would then much exceed our means of consumption.

“We regret that you did not think proper to empower us to invest your funds in American stocks which have been and still are low. The three percents which sell with you at 64 might now be bought at 54 to 55. The 6 pr ct at 90.”

The decree mentioned by the Barings was a deliberate attack on our neutral trade.

Portugal having passed into the hands of Napoleon at the close of 1807, he at once made preparation to seize Spain, and in February, 1808, ordered Murat to advance on Madrid, and bade the Admiral of his fleet at Cadiz prevent the flight of the King should he attempt to imitate the example of the Prince Regent of Portugal. The attempt was made, the King set off; but at Aranjuez the people rose, sacked the house of his minister, Godoy, and the old King, overcome by terror, abdicated in favor of his son Ferdinand.

When Napoleon heard of these things he hurried to Bayonne, summoned the royal family to appear before him, swept aside both Charles and Ferdinand, offered the crown of Spain first to his brother Lucien and then to his brother Louis, and, when each refused to accept, thrust it on Joseph Bonaparte, who was crowned in June.

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Meantime, in April, while at Bayonne, the Emperor issued his decree requiring the seizure of all American vessels then in the ports of France, Italy, and the Hanse towns, and of all that might enter thereafter. No American vessel, he held, could lawfully sail the seas. If any did, it violated the embargo and furnished presumptive evidence that it sailed on British account, or in the interests of some British merchant.

"By your letter of the 11th May," said Girard in reply to that of the Barings informing him of the Bayonne Decree, "I observe that no more American vessels can be admitted on the European continent and that a decree of the French Emperor from Bayonne directs the capture of all American Vessels found at sea. Those rash steps will undoubtedly induce some of our federal politicians to advise their European Friends that our Government is much displeased with the conduct of the French, and that there is a great probability that a war between that country and this will shortly take place. For my own part I see no reason to change my former opinion respecting the continuity of our present situation.

"Having funds in Europe I have been for sometime in expectation to obtain a permission to dispatch one of my ships for St. Petersburg, but our President having lately decided that no American vessel will be permitted to go from the ports of the United States to Europe, or to the southward of the equator I am disappointed.

"Should you have an opportunity to purchase American stock please invest on my account in three & six per cent as far as ten thousand pounds sterling, provided the price of the former does not exceed fifty four or fifty five and the latter ninety p cent."

The embargo was now being felt abroad. Writing from St. Pierre, Martinique, in May, a correspondent said:

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"We are marching with rapid strides towards famine. The greater number of the inhabitants of this island are reduced to eating *de la farine de manioque*, and those who still eat bread, cannot satisfy their hunger, for a fipenebit loaf is reduced to four ounces which makes that of 16 ounces cost 20 French sols. There is no business. The small quantity of goods which comes from the English Islands remains in the warehouses. Supplies that were so acceptable before the embargo have turned their backs on us. In this state of abandonment and discouragement if one thinks of these things at all, it is but to ask *when shall we see the flour and the codfish come again?* The consumption of that fish is immense in this country, and it is prepared in a great many ways. It is the chief food of the negroes. When they are deprived of it work ceases. Other provisions except oil and wine are growing very scarce. If things do not improve very soon this island, which has always enjoyed the greatest abundance, will reach a frightful crisis. The hungry do not reason."

Girard's old correspondent, Bulkeley, driven from Lisbon to London, sent a long account of conditions in Portugal.

"By public prints you will ere this have learnt the very unexpected Events in Spain and Portugal. The news from these quarters are daily more favorable. Almost the whole of Spain is under arms against the Invaders. This governt have made Peace with the Span Patriots. Several Commissaries are now here & those from this country have arrived in Spain. The most perfect confidence exists between these gov^{ts}. Every possible assistance in Cash, Arms, Ammunition, cloth^s and an army of 60,000 men, it is said, are destined for Spain. Some expeditions with troops, cash, & arms are already arrived in Spain & it is the decided resolution of the Gov^t to give the

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Span Patriots all they require. The North & South of Portugal are become free and declare themselves for the Prince Regent. Oporto is quite free of the invaders and Business resumed. Several vessels are come from there with wine and many gone out to bring home returns. There are letters in town 22 ult. (July), all was quiet and orderly. One or two Junior partners of firms formerly established at Oporto are gone out to resume their business. Lisbon is the only place in Possession of the enemy under command of Gen^l Junot. He has about 12 to 15/m Men. However, large forces of regulars & Patriots are marching from the N^o. They will make a formidable Junction with Patriots on their way to Lisbon. Sir Arthur Wellesley with about 9000 troops are off Feguiera on the coast of Portugal & a second expedition is sailed to join Sir Arthur with 12,000 troops more. They intend forming a junction with Patriots & will proceed to Lisbon. A^d Collin is off there with a good force & it is absolutely expected in about 14 days to learn of the defeat of Junot & the surrender of Portugal to the Prince Regent. That country will be free of the Enemy, when it is said the troops will march into Spain to give aid to the Span Patriots. I made free to acquaint you I had established my house here of *John Bulkeley & Son* & offered my services to my friends & expect some valuable consig^t from the Brazil. The moment the British can return to Lisbon with safety & that it is prudent in every respect to carry on Business there for your Government, I shall immediately, amongst the first, Resume my old Establishment there also of *John Bulkeley & Son*. These are my Views & if happily realized shall give you early information. By last acct from Oporto it was reported all sorts of provisions, Bread and grain, were risen beyond idea. Fresh beef, none to be had."

By September the victories of Wellington made it

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certain that his views would soon be happily realized. "Yesterday brot the News of compleat Victories been gained by British Arms over Junot & the french Armies in Portugal, & in a few days its expected News will come that Lisbon is quite a free Port & many Eng ships are now load^g for thence & its supposed not a french Soldier is in Arms in Portugal & the Great Victories of Spain over the french in their territories & as speedy evacuation of them will render Spain & Portugal free countries. The latter will be safe by the strong Barrier of Spain, & it is wonderfull the number of British troops forwarded to Spain & Portugal. Thus a new opening offers & I am resolved in a few days to go to Lisbon & to send forward my principal clerks to that place to continue my House of John Bulkeley & Son who I mentioned to you for your Governt. All ports of Portugal & Spain will require supplies of Flour, Wheat, Provisions etc, Pipe Staves etc."

Having invested in cotton as heavily as seemed prudent, Girard now turned his attention to coffee and sugar. The decrees of Berlin, Milan and Rambouillet, and the embargo with its supplementary acts, could not fail to put up the price of these staples in our country, and put down the price in the islands where they were produced. Thomas & Son of New York were therefore requested to buy forty thousand dollars' worth of coffee at not over forty cents a pound, and Señor Lasa, who was about to return to Havana, was authorized to purchase three thousand boxes of sugar if cost and charges did not exceed sixty thousand dollars.

"As the present Embargo renders uncertain the period when it will be in my power to send vessels to the Havana for the purpose of taking on board the sugar which you may purchase on my account, I request that you will store such sugar as fast as you purchase the same in the cheapest and safest manner subject to my orders."

CHAPTER III

THE DANES SEIZE HIS SHIPS

CONGRESS assembled in November, 1808, and the struggle for repeal of the Embargo began at once. Member after member rose to present resolutions for the prompt repeal of the embargo; for non-intercourse with Great Britain and France; to forbid vessels going from port to port along the coast unless owned and manned by citizens of the United States; and to suffer merchantmen to be armed and sail to countries not subject to British Orders and French Decrees. But the President stood firm and the Senate on the 22d of December, 1808, sent to the House a bill for the better enforcement of the Embargo laws.

As passed by the House on the 5th of January, 1809, this Force Act made it a high misdemeanor to carry, or seek to carry out of the United States, in any manner whatever, specie, goods, wares or merchandise; or to load specie, goods, wares or merchandise on water-craft of any kind till leave had been obtained from a collector, and a bond given for six times the value of vessel and cargo, not to sail without a clearance. Should a collector find on any water-craft specie, or goods of home production or growth, he was to seize them. If in a wagon, cart or sleigh going towards a seaport, or the boundary line, he must seize and hold them till bonds were given not to take them out of the United States. To enforce this and the other embargo acts the President might use so much of the army as he saw fit, and hire and equip thirty vessels for service along the coast.

Against this measure New England rose in protest. From scores of towns came resolutions declaring the

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Embargo oppressive, tyrannical, unconstitutional, and demanding its repeal. March 1st it was repealed and non-intercourse with France and Great Britain substituted in its stead. By the new law public and private vessels of France and Great Britain were excluded from the ports of the United States, the importation of French and British goods absolutely forbidden, the embargo lifted except so far as it related to Great Britain and France or their colonies and dependencies, or places actually in their possession, and the President empowered to reopen trade with France or Great Britain should either cease to violate our neutral rights.

While Congress was wrangling over the repeal of the Embargo Girard sent a statement of his business affairs to Mr. Hutchinson. "Owing to the stagnated state of our commerce the sugar purchased at the Havana presents a gloomy prospect. Some time ago I flattered myself to obtain a permission to dispatch to that port one of my ships in view to take in upwards of sixteen hundred Boxes of white sugar stored there on my Acct, but the late measure (the Force Act) adopted by our government will keep that property out of my reach.

"In addition to the four cargoes of cotton etc on board of the Ships *Helvetius*, *Voltaire*, *Liberty* and *Good Friends* I have upward of five thousand bales of Bourbon coffee, 240 fanigas of Caracas Cocoa, 331 Boxes of Bengal Indigo, Thirty Tons of Cassia, with nearly the whole of my two last importations of Nankeens which I intend to dispatch to Europe as soon as practicable. This will point out to you the necessity of giving me early advices of every circumstance which you will judge interesting to my commercial transactions, particularly such European measures or apparent dispositions which in your opinion will induce our government to take off the present Embargo. * * * *

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“Should you have sufficient reason to believe that the Country will escape the present prospect of being involved in the European War and that American funds in England will be perfectly safe please to request Messrs. Hope & Co. to remit on my acct & on the most advantageous Terms to Messrs. Baring Brothers & Co. of London as far as forty Thousand pounds Sterling & in case exchange between Holland & England should present a profit not less than 3 pr ct to extend said remittance to Sixty thousand Pounds Sterling.”

Baring Brothers at the same time were advised how to invest the money. “Since writing you on the 3d ult new circumstances have rendered probable that shortly there will be a change in our commercial situation. Fearful of its results I beg that you will as soon as possible invest my funds in your hands in public Stock of the U. States. I give you no limit. Please to act as if it were for yourselves and to keep said stock in your hands subject to my order.

“Should there be any gloomy appearance, or that you should be of opinion that my funds in Holland will be safer than in England request our Amsterdam friends to retain in their hands and to keep at your disposal as far as Forty thousand pounds Ster^l for the purpose of meeting the Bills which I may draw on you if a favorable change should offer.” The cause of his alarm was the general belief that Congress would lift the Embargo and make war on England.

His fears were soon allayed. Jefferson signed the non-importation bill and the Long Embargo ended. March 15th was the day fixed, by the act, whereon vessels might sail for ports other than those in France and Great Britain, and on that day the *Rousseau* was cleared for Havana. While she was beating down the river the

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Good Friends and the *Helvetius* were made ready to sail in company to Gothenburg. Where to send the *Voltaire* and the *Liberty* was still undecided when one day in April an event occurred which led to a prompt decision.

Mr. Madison having become President and non-intercourse with Great Britain and France having gone into force, the British minister, Mr. Erskine, undertook to bring about an agreement by which trade should be reopened with Great Britain and non-intercourse continued with France. In this he succeeded and one day in April, 1809, he made with Robert Smith, Secretary of State, what is known as the "Erskine Agreement."

By one of its provisions, for it related to matters other than trade, Mr. Erskine bound his country to recall the Orders in Council on the 10th of June, provided the United States, on that day, restored intercourse with Great Britain and continued non-intercourse with France. Madison approved the agreement and at once issued his proclamation announcing that, on and after June tenth, the merchants of the United States were free to trade with Great Britain and her colonies and with every port not under the flag of France.

The proclamation settled the destinations of the ships, and in June the *Voltaire*, *Liberty*, *Montesquieu* and *Rousseau*, which had just returned with sugar and coffee from Havana, were sent "to a port in Europe."

"In consequence of his Britannick Majesty's Orders in Council of Jan^y & Novem^b, 1807," Girard wrote in his instructions to Captain McLeveen, "having been withdrawn on the 10th Inst as it appears by the Correspondence which did take place in Washington City in April last, between Mr. D. M. Erskine Minister Plenipotentiary of his Brittanic Majesty and Mr. Rob^t Smith Secretary of State & also by the Proclamation of James Madison Presi-

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dent of the United States inserted in the *National Intelligencer* & *Washington Advertiser* of the 21st April last, which I now deliver you, I was induced to dispatch three of my ships for a friendly permitted North Port on the continent of Europe, namely the ship *Voltaire*, Ezra Bowen Master, with a cargo of cotton, the produce of the United States, the ship *Montesquieu* Robt Wilson master, with coffee, Indigo, Cassia, Nankeens, cotton etc the produce of India and of the United States, except a few bags of Carracas Cocoa and some Campeachy Logwood, the ship *Liberty*, Simon Kingston, Master, with a cargo consisting of cotton & rice, the produce of this country, with Instructions to the Masters of those ships to proceed in the first instance to Tönningen, going North about and in case that during their passage or while in the North Sea that they should receive satisfactory advice that American ships with their cargoes are admitted into the Dutch ports, and that those Ports are not in a state of blockade, to go to Amsterdam or Rotterdam.

“With the same degree of confidence and firm persuasion that his Brittanic Majesty’s Orders in Council of Jan^y and Nov. 1807 have been withdrawn on the 10th Inst., as it respects the United States, agreeable to the Correspondence & Proclamation alluded to, I have fitted & dispatched at our Custom House the ship *Rousseau* under your command and Mr. Edward George Supercargo, with a cargo consisting of Havana Sugar in Boxes, coffee in bags & some Campeachy logwood for a permitted port in Europe & within the Straits of Gibraltar. but, since clearing out said ship, being informed that said British Orders of Council have been recalled on the 26th April last and immediately substituted by a new Order which blockades the $\frac{3}{4}$ of the Ports on the Continent, as it appears by said last Order before mentioned inserted in

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several of our News Papers, which I now deliver you for your Govern^t, I am under the necessity to abandon the flattering hopes of my ships being permitted to enter Amsterdam or any other Dutch Ports where there is no doubt that a reasonable price could be obtained for their cargoes, but believing still that the British orders will take into view the arrangements made between Mr. D. M. Erskine Minister Plenipotentiary and our Government, I will proceed by pointing out to you a plan of conduct which I request you to observe during the present voyage."

Captain McLeveen was to go first to Altona on the River Elbe or, if blockaded, to Tönning or, if that port were closed, from port to port till he found "a friendly permitted Port without or within the Straits of Gibraltar." Should he enter the Mediterranean, Tunis was to be his first port. Wherever the port of discharge, he was there to ship one hundred tons of pig lead & iron, and such goods as the supercargo bought, and come home.

The value of the out cargo was \$79,815.60. To Mr. Hutchinson he explained why the voyage was made. "The new measures of the British Government together with the late Decree of King Louis have blasted my hopes and have compelled me to the extreme necessity to send my ship in search of a friendly permitted port on the continent of Europe, in view to find a Market for her cargo."

During April and May letters written in January and February, 1809, began to arrive from Europe.

One from Baring Brothers, written on November 4th, 1808, but not received till late in January, 1809, informed him of the new decree of the King of Holland. "Information has been received of another decree having been issued in Holland dated the 17th October, more rigorous

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than any of the former ones. Some time past a limited export has been allowed under certain restrictions. This, however, is now again expressly forbidden, and all the ports of Holland are compleatly shut, as well for exports as imports, and even such ships as were loaded, or part loaded, were not permitted to depart, it appears however that this has since been dispensed with, and all the vessels that were loaded here had permission to come away with their cargoes. The decree is in all other respects expected to be very strictly enforced and should that be the case it will be next to impossible to get Letters either to or from Holland, as all communication with this country is strictly prohibited, and the conveyance of Letters severely punished."

Another from the same house in January, 1809, told of the arrival of American ships which had broken the embargo and made their way in safety to British ports.

"Another embargo breaker is arrived in a port in Ireland with a cargo of Tobacco, though the belief that the Embargo will be legally continued prevails. The uncertainty to what extent these irregular proceedings may be carried keeps the Trade in American articles in a state of suspense. The last Packet brought us from your country a variety of Speculators, principally in India goods, but we believe that they have generally found our Markets too high."

A Liverpool circular of "Prices current of American Produce" dated March 4th, referring to the importation of cotton during February, states, "about 8000 bags are from the United States, by vessels which have broken the embargo, and which arrived in such numbers as not only to deter the dealers from purchasing what they otherwise would, but to give rise to an opinion that since the Embargo Laws have been broken to so great an extent,

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the Government of America will be no longer able to enforce them; to which idea the resolutions which appear to have been entered into in Boston and other of the Northern Ports in the Union, have given additional strength in the minds of many persons in this country. If we remain a week or two without seeing these Embargo breakers prices of cotton will no doubt advance. * * The few American Staves which have been imported by the Embargo-breakers, have met a ready sale * * * In consequence of the arrival of the Sally, since called the *Eliza Farquahar* with 370 Hhds of Tobacco from Virginia, our market experienced a pause."

Writing late in March, Baring Brothers & Co. said: "Prices of American produce will of course fluctuate with the opinions on the subject of your Embargo. At present it is generally expected that it will have been raised on the 4th of the Month, and that the non-intercourse Bill will have been substituted. Under this Bill we presume that the produce of your country will find its way here circuitously, probably through Lisbon, Madeira, or some other intermediate place, but it is not possible to calculate with any certainty, and still less to recommend any particular plan of proceeding untill we can place more reliance on the course your Government will take."

When Great Britain in April recalled her Orders in Council of November 1807, a Liverpool circular of May 1, 1809, gave this account of the state of trade:

"We have the pleasure to inform you that the British Orders in Council were repealed on the 26th ult. Instead the following are declared in a state of rigorous blockade; all the ports and places under the government of Holland (which includes all places as far north as the river Ems) and France, together with the colonies of both; and all ports and places in the northern parts of Italy, to be

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reckoned from the ports of Orbitello and Pisaro inclusively." A considerable change in the prices of articles from America had therefore taken place.

From Amsterdam in May Mr. Hutchinson sent alarming news. "The British Government according to the latest advices have revoked their Order in Council, but have substituted in its place such a blockade as never before has been known of the whole line of coast from the Weser to Bayonne, the ports of Spain in possession of the French, and with very few exceptions the whole of Italy. consequently Holland being included, no person can avail of the permission granted by the last decree of King Louis, permitting neutral vessels to import from neutral countries sundry American productions."

Though the *Good Friends* sailed for the same port of discharge and at the same time as the *Helvetius*, the latter had been two weeks at Gothenburg before Captain Baush and Mr. Adgate heard that the *Good Friends*, while "going north about," and when off the coast of Norway was captured by the Danes.

The cargoes of both vessels were to be delivered to Holterman & Sons, a correspondent of Baring Brothers, who, as soon as the news was received, made haste to report it to Girard.

"Mr. Daniel Adgate has already informed you of the arrival here of the *Helvetius*, and inclosed is a letter from Capt Baush. It contains the disagreeable intelligence of the Capture of the *Good Friends* who, with several other American vessels has been carried into Norway, at the beginning of this month, per list of them annexed.

"The chief reason for this strange conduct of the Danes will be found in the covering trade that has been carried on in these quarters under American colors by British vessels, and there not being acquainted at

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the time of the capture of the Embargo being taken off. We hope, however, that they soon will be released and at liberty to dispose of these cargoes. A friend of ours we have sent there to assist them if wanted." The writer gave the names of the six American vessels taken by the Danes.

"Since I had the honor of writing you on the 4th instant," said Mr. Daniel Adgate, "I hear by several gentlemen from Norway that six American vessels have been captured and taken into Christian Sand, they were all bound for this port (Gothenburg). Your ship *Good Friends* is first on the list at Farsound. From all I am able to learn they cannot convey letters from them to this place. We shall not be able to do anything here or be able to know what we can do elsewhere for at least two weeks. Therefore I think it will be for your interests that I should proceed to where your ship is said to be and give my brother all the assistance in my power. I have been at Helsingberg to consult your friend at Elsenour but the Government would not permit me to pass over. They are yet at open war with Denmark on that side. * * * *

"We hear that the Austrians are compleatly defeated (at Eckmühl April 27). They lost in one battle 18,000 men and in another 26,000 killed, wounded and taken prisoners. I saw a gentleman from that quarter whom informs me that the Emperor Bonyparte was in the environs of Vienna with a very powerful army. A very large *English fleet* has passed up the Baltic. I fear that some of our Consuls in these ports have not been as trustworthy as they ought to have been."

Belfour, Ellah, Rainals & Co. wrote, from "Elseneer May 27," to Hope & Co.: "We address you the present to inform you that the ship *Good Friends* belonging to o/m friend Stephen Girard Esq of Philadelphia & who left

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that city the 15th March with a cargo of cotton has been captured & carried into Norway. We write the supercargo Mr. William Adgate offering him every advice & assistance in our power, but we are sorry to find nothing can be done here for him, & that his trial &c will take place & be decided on in Norway. If his papers are in good order we hope there is no danger of his being speedily released."

Mr. Adgate now decided to go at once with the *Helvetius* to Kiel, "the capitol of the Dutchy of Holstein in Germany 37 miles N. W. of Lubec and 46 north of Hamburg. I shall take with me the proof that I came direct from Philadelphia in the ship *Helvetius* and that I have not landed or sold any part of her cargo at this place. My reason for so doing is this. I understand from Mr. H. that a real American ship met some detention on a/c of the Supercargo not being named on the Role d'equipage."

Scarcely had the *Helvetius* set out for Kiel when she too was captured. "We," Hope & Co., "are sorry to inform you that after Mr. Hutchinson had dispatched the *Helvetius* from Gothenburg for Kiel she has been taken by a Danish Privateer and is brought into Elsineur, where she is just under 4 days quaranteen. We have immediately written to our friends in that place, as well as to those in Copenhagen, to assist in getting her released as soon as possible which we hope may soon be the case. The Gentⁿ of Elsineur mention that four other Americans are brought in there and 18 or 19 ships carried into Norway."

The capture of the *Good Friends* by the *Black Nine* is thus told by Mr. William Adgate, July 18, 1809:

"On the 30th of April last, we made the land near the Naze of Norway. Captain Thompson judged our distance

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about 12 or 14 Leagues. We saw a small sail in land of us which I supposed was a pilot boat. we were standing on our course the wind light. the Boat appeared to near us and Captain Thompson soon discovered she had sweeps out and was rowing towards (us). We continued our course with all our sails sat the wind being very light, after some time she fired a gun to windward and hoisted danish colours. We hoisted ours and continued our course not wishing to come nearer the coast. She then fired at us. The Captain finding that the privateer would board us order the ship to heave too. the captain of the privateer hailed us and ordered our Captain to lower down his boat and come on board with his papers which he did. he told him that he had orders from his government to bring in vessels of every flag for examination and refused to look at his papers, put a prize master and a number of men on board (taking the greatest part of our crew on board the privateer). they brought us into a harbor a short distance to the westward of the Naze of Norway. Captain Thompson, myself with the Captain of the Privateer, got into a boat in order to go to Fahrsund to note a protest and make all the necessary enquireys. We were met on the way by the owners of the privateer who ordered us back to the ship. We were obliged to comply. The two owners of the Privateer came alongside of the ship and made a number of enquireys. They told us that the ship would be obliged to perform quarentine. On the 1st of May two persons came alongside of the ship *Good Fds*, said to be commissioners of health, who said the ship was in quarentine. They took away our ship papers. The following day we were brought to Fahrsund a small port about five miles distance from thence and where the owners lived. After 8 days quarantine a person calling himself the Custom House officer with the health officer

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and the owners of the privateer came on board and searched our trunks, writing Desks etc. as they said for papers. They told us we might go on shore. The captain and myself went on shore to note a protest but were told was no notary Public in the place. On the 9th of May the Captain of the privateer came on board and ordered us all on shore for examination. We all went except Mr. Gifford who at my instance was permitted to remain until we were interrogated, to prevent plunder. Our crew were examined separately and put in prison. I was not suffered to be present at their interrogations. Captain Thompson was then called in and after he had been interrogated and ordered out I was called in and interrogated, by the owners of the Privateer who interpreted to a person said to be Notary's clerk who did not understand our language. after asking a number of questions irrelevant to our business I was suffered to depart. in the afternoon Captain Thompson and myself went again on shore. we found said Notary's clerk at the house of the Owners of the Privateer. We desired to note a protest. He told us through the owners of the Privateer we must have our minutes translated which we could not do. On the following day we called and found said clerk and in the presence of a number of people made the same request and at the same time protested against the proceedings of the Court as we could not suppose them legal. This was interpreted by a person whom I did not know. We then went about 15 miles to the house of the Notary but did not find him at home. I obtained a passport and set off for Christiansand about 60 miles. After two days rowing finding I could not get further by water I took horse and arrived on the 3d day in this place (Christiansand). my first inquiry was to find out the most respectable mercantile house, and those who were in correspondence

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with Messrs. Hope & Co. I was told of a Mr. Isaachsen, but at the same time was informed that he was agent for the Privateer which captured us. I then called on a Consul Moe but soon found he was interested against the Americans being the owner of Privateers. I was advised to apply to a Mr. Matthiesen he having been serviceable to some of our countrymen detained. I conversed with him and he promised to do everything for your interests and that no illegal steps should be taken against us. I was informed by Mr. Matthiesen that information had been given that our ship was from Liverpool and that she had salt and that the Judge had given an order to have the ship discharged. I was advised to return immediately to see that no unfair advantage was taken. I returned to Fahrsund and found that nothing had been done. On the 30th May we were again examined and sworn before the Notary. I demanded a copy of our interrogations which was promised in eight days but we have not yet been able to get them. from thence I have had much to encounter both in my mind and person as I did not suppose such characters existed in the world. *** On the 6th of July we attended at the Court to hear our sentence which was that the ship *Good Friends* and her cargo was condemned as a good & lawful prize to the captors. This is the Eighth American vessel which has been condemned in the prize Court here although they have all sailed from America since the embargo and the most of them laden with the produce of the United States. Indeed the Judge has said that no document from the United States would be sufficient to show the neutrality of the property. The reason given is that so many of the English are sailing under the mask of the American flag. *** we have appealed from the decision here to the highest Court of Admiralty at Christiania as I cannot suppose that a Judge who is

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not interested in privateers will sanction such a decision. It is however probable that we shall be detained here for some months to come. Our people still remain on board the ship but it is uncertain how long they will be suffered to do so as it is at the option of the owners of the privateer. Should they drive us from the ship as has been the case with other Americans condemned here we shall keep watch on deck and if possible prevent embezelment. the decisions have been different for a few days past as vessels have been cleared and obliged to pay from 400 to 600 dollars damages to the Captors and under circumstances no more favorable than ours but in every instance the Captors have appealed to Christiania. * * a few days since the Government ordered all vessels which had been brot in to the Westward of this place to be conveyed here in consequence of which the *Good Friends* with nine other Americans was brought to this place (Christiansand) and there are now in this port twenty seven American vessels all under capture and detention with at least One Million five hundred thousand Dollars of American property and they are brot daily."

The decision of the Prize Court, July 6th, 1809, reads:

"This is the Court's decision; that the captured ship named *Good Friends*, commanded by Captain Thompson, with its inventories and the cargo on board is adjudged as a good prize to Captain Ellert Carlsen and his ship owners; but that the costs of this case however, which the law allows, shall be paid out of the prize."

This decision, in the opinion of Mr. Hutchinson, was based on charges "the most frivolous imaginable," and he at once set off for Copenhagen. "I leave this (Gothenburg) immediately for Copenhagen with the copy of the proceedings of the Court at Christiansand, where I shall endeavour to have the *Good Friends'* case represented to

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the Government of Denmark, through the medium of our Consul, being an official character, and the proceedings laid before Count Barenstorf, minister of foreign affairs to his Danish Majesty. By this I do not expect at all to be able to obtain the release of the ship, but I flatter myself that seeing such proceedings as in the case of the *Good Friends*, they will instruct the High Court of Admiralty, to which your agents have appealed, to do you strict justice. I am not at all inclined to suppose, that your ship will be condemned at the High Court of Admiralty at Christiania, but she must meet with a very serious detention, probably three or four months longer, for which I am pretty well convinced, if the ship is restored, you will receive very trifling damages if any—almost every person from the governor to the chimney sweep at Christiansand, is concerned in privateering, consequently the alledged reasons in the condemnation do not appear to me to be the real, but a determination to have the property if possible.”

“Every man almost in Norway,” said Mr. Adgate, “is concerned in this privateering system which the government encourage by either condemning the property or giving damages to the captors. when no flaw could be found in the papers, they have mutilated them in order to ground a plea for condemnation or damages and in almost every instance there have been errors in the translation of the papers from English into Danish either from ignorance of the language or for fraudulent purposes. For instance they have translated Pigs of iron into Iron pikes and the man who acted as interpreter at the late examination of the *Good Friends* did not understand one hundred words in English.”

“August 12th, I have now obtained the copies of the proceedings of the Court and have handed them to Mr.

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Peter Isaachsen, who has been appointed by the Am^{cans} to act as a Consul or Agent for our Government until their pleasure shall be known, there being no agent for the United States in Norway. Mr. Isaachsen is a gentleman of fortune and respectability in Norway and has come forward in the most honorable manner in behalf of the insulted Americans."

Again and again during November and December the trial was put off and the year ended without a decision. Said Mr. William Adgate: "I have been here six weeks waiting the trial of your ship *Good Friends* before the High Court of Admiralty for Norway. it has been brot before the Court three or four times and postponed at the request of the Attorney for the Captors. it came before the Court again on the 13th (November) when our lawyer produced evidence that there had been errors in the interpretation & translation, the captors protested against this evidence and the business was again put off to the 18th December. they offered if I would suppress this evidence to let the trial go on, but this I could not do as it would then appear as if Mr. Gifford had said that the ship had pikes in her hold. I had two Danes present who heard all the evidence. On being asked if there was anything in the hold except the cargo, Mr. G. said there was some stone and some pig iron for ballast, on being asked further about the pigs he said they weighed from 60 to 160 each but this they have not put down and have translated the pig iron into iron pikes. Our evidence went further to prove that the first court was not a legal one as it was not administered by any authorized person. God only knows when we shall get away from this barbarous country."

When the 15th of December, 1809, came, the trial was again put off for a week; and then again postponed, and the

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next day Mr. Adgate wrote, "our trial is again put off untill the 15th January on account of Fahrsund interrogatorys. The blood suckers are determined to get all they can out of us. I hope the government of the United States will show Denmark and the World that the property of its citizens is not to be sported thus unwarrantably with impunity."

The mate of the *Good Friends*, Mr. Gifford, was deeply chagrined at the part he played in bringing about her condemnation.

"You no doubt have seen by the copy of our Condemnation with some surprise the part that I have had In her being condemned by thoughtlessly burning a part of an old book that contained some observations that I had taken In the year 1807. At that time your ship was In good order. I had no work for the people nor myself. I copied them off In another book and thoughtlessly took it with some pieces of News Paper and burned It. It is the first time that Ever I was taken, and it has been but a Small part that I have acted In the World. I had not an Idea that there was so much Villany Existing on Earth as I find there is. I plead Guilty of the Error of burning that book but I was at that time Ignorant of the Consequences."

Early in February, 1810, the work of discharging the cargo to prove that the ballast was pig iron and not pikes, was begun, though the captors opposed it bitterly.

"Was you hear," the captain wrote Mr. Adgate, "you would only help Mr. Gifford & your Humble Servant to swear at their Damn Proceedings. In my last I mentioned that I expected to discharge on Monday. accordingly on Monday morning began to haul the ship along side the Wharf When Mr. M. the Judge, & Ebby Lund, Capt of the Privateer, Prise Master, Custom House officers, and

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some others, God knows who come on board with a book which I took at first for a Large family Bible. as they could not get below, the top of the Companenway was the Writers Desk. When after about one hour Palavore I was asked by M. M. what Weight of Cotton we had on board I informed them I did not know. Then Mr. M. told Ebby that perhaps the Court New what weight but he said no. When I was desired to guess how much by this time I found that the owner of the privateer demanded Insurance a Dollar a pound on the cargo (security in case of condemnation). I said perhaps about seventy thousand Wt. Mr. M. said suppose We call it Eighty thousand which was agreed to & put down in the Book. * * * After that point was settled I was informed that I could not Discharge before Wednesday morning. Accordingly on that morning I got the ship along side the wharf and got everything ready for Discharging. At nine o'clock all the before mentioned Persons came on board With the Big Book & after Palarvering some time I had Liberty to Discharge & accordingly began and Discharged 120 Bales that day & 140 yesterday. There is two Paleten officers & one Custom House ditto that keeps account. Then we have the Capt of the P & Prize master & one man on board. Likewise the two Paleten officers is the ones that is to Prove that thers no Pikes on board. but it would make you curse a little if you was here. You must know that the two officers does not come till 9 o'clock and at h past 11 they must begin to seal up so as to have all done by twelve. at two they return & at h past 4 they begin to seal again."

Thus was the cargo slowly unloaded day by day until an old box was reached. "Well," wrote the captain, "you could not help smiling if you had seen the Privateersmen When they found an old box of Iron to see what work they

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made out of it thinking they had found the Pikes & to see there Under Jaws Drop when it was examined & they found nothing but old Iron. after the Officers was convinced there was no Pikes on board but what was before mentioned and left us, the Prizemaster Walked the Deck for about three quarters of an hour Without Saying a Word & then Left us & None has been nigh the ship since."

The day after this letter was written Matthiesen & Schmidt wrote Mr. Adgate: "With this we have the pleasure to inform you that the *Good Friends* is discharged and that we today hand Mr. Omsen a lawful Document about this Circumstance."

The reloading went on as slowly as the unloading and new difficulty arose when attempting to get a clearance. March 19th the case once more came before the Court, "but was put off for two weeks at the request of the Captors Lawer. It is uncertain what time our case will be finally submitted as they seem Determined," wrote the Captain, "to Procrastinate it as Long as possible. Mr. Adgate Likewise mentions that the captors Lawer hangs a good deal about the *Rousseau* being in our Shippen Articles. In the Second place the *Rousseau* Down instead of *Good Friends* tho it is the opinion of our Lawer and our friends that they can't make Nothing of that."

At last, June 9th, 1810, the case was heard by the High Court of Admiralty, the decision reached, and this sentence pronounced:

"The taken American vessel *Good Friends* Robert Thompson, Master, together with her furniture and cargo is cleared, but from the vessel the expenses of the cause and the capture are to be defrayed, among which the costs of the law suit are fixed at 400 Rigs Dalers."

"You will perceive," wrote Mr. Adgate when reporting

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the decision, "that the ship is sentenced to pay captors expenses together with costs of court fixed at 400 Rix dollars. The privateer owners, Gabriel & Ebe Lund, of Fahrsund, produced an account of expenses for Privater amounting to 20,020 dollars. I offered to give them security for the amount and let it be settled by a Court, so that the ship might proceed on her voyage which they refused to accede to and got the Commandant to arrest the ship. I concluded, if I could compromise with them and obtain a release it would be more for your interest as from sad experience I had little hope from a legal process. I finally compromised with them for 6700 Rix dollars and ship was released. I have also to wait for the protest as the notary would not attend to it immediately having much to do. I could never have expected to be detained so long: but I could not avoid it nor could I have expected a sentence such as ours has been had I not seen what I have seen. I have cleared the ship for Stettin to proceed through the Belt and pay the dues at Myborg on the island of Funen where I expect to find letters from Mr. Hutchinson Jun."

July 12th, 1810, the protest was obtained and the bill of expenses made out. It amounted to "Eighteen thousand four hundred and fifty-one dollars, two marks, & nine Skellings which at the present exchange would be £1230, 1, 4 @ 1.5 Rix dollars pr £."

The story of the capture of the *Helvetius* was told by Captain Baush. "I sailed from Gothenburg on the 21st of June bound to Kiel. About 12 hours after was taken by a danish privateer then about Ten miles from Elsinour where I was to stop to pay my sound dutys. I was brought to this place (Copenhagen) for examination which took place on the 5th July (1809). On the 15th July the crew were sworn to the interrogatorys, before taking which con-

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firmed the neutrality of the ship and cargo, no doubt to the satisfaction of the Court; but the Privateersmen, anxious to accomplish their dirty designs, immediately after obtained permission from the Court to land the cargo, from a pretence that we had swedish goods on Board. But as no such goods was on board and the cargo agreeing with the Papers the Court thought proper to Liberate the Ship & Cargo after a detention of 65 days, by paying the Captors Seven Hundred rix Dollars, and Court charges from which Sentence we have appealed to the High Court of Admiralty for all damages that we have sustained from the detention.

“It is not in my power at present to inform you of the scandalous treatment that we have received here, from the Privateersmen, but should an opportunity offer for America I shall write you more fully on the subject. The ship *Ann Louisa* from New York has been condemned here on account of the Captain being an Englishman, and the brig *Commerce*, Otis, of Boston, for making a false declaration, the Captain and crew imprisoned.”

In course of time the sentence of the lower Court was confirmed by the upper and the required payments were made. Four Rix Dollars were equal to three Spanish dollars. Once more free to sail, Daniel Adgate wrote his brother in December, “I have it in contemplation to detain the ship *Helvetius* in this Port and proceed myself to St. Petersburg by land and have her meet me there in the spring to take a cargo as at first contemplated.” This he did.

The *Montesquieu* by July 5, 1809, had reached the quarantine grounds off Tönningen, from which place Captain Wilson reported: “After a very pleasant passage of 27 days we made Fair Isle and 7 days after arrived at Heligoland without speaking a single vessel that could give us any satisfactory information respecting the political

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situation of the countries we are destined for. Off Heligoland we ply'd nearly the whole day with the signal for a pilot out but no boats came off. We were at length aided by an officer from the British brig of War *Exertion* who permitted us to proceed to the Eyder, but warned us not to go to the Elbe, Weser or Jade. They had ships of war lying at the mouth of each river who would certainly send us to England if we attempted to enter. After the officer left us I brought too several boats that were crossing from the continent to the Island; but no pilot was to be had from them for any consideration. I should have mentioned that we found from 50 to 70 sail of Vessels laying under Heligoland, ships of War, Transports and Merchantmen. Finding it impossible to procure a pilot from any of the boats, I stood back towards the Island, passed between the vessels at anchor, spoke two of them who informed me that a few days before there had been several Americans there who after laying two or three days were obliged to depart without pilots. After hearing this I thought it useless to remain, and accordingly stood under easy sail for the Eyder, proceeded as far in as was prudent and anchored in 6 fathoms. while running in there were several fishing boats in sight but they all ran in as we approached. It was about 5 o'clock in the morning when we came too, the weather fine and as there was no appearance of getting a pilot, I sent the Jolly boat on shore to procure one, Mr. Nicholas volunteering his services on the occasion. They started at 9 A. M. and at 9 P. M. the boat returned with a pilot. At 11 the same night we were boarded by boats from the British schooner of War, *Paz* overhauled in a very strict manner and taken back to the mouth of the Elbe where the Commodore was laying. The wind was off the land from the southward. when within a mile or two of the

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Commodore he got under way and we followed him back to the mouth of the Eyder where we all three anchor'd. He kept us three hours in suspense and then gave us liberty to proceed. We accordingly got under way and after four days work and anchoring every 2 or 3 miles (or safe place) for the boats to go ahead and lay out little buoys which they have for that purpose we arrived this place (Volleowyk). The difficulties of the Navigation renders this place very dangerous for Vessels above 13 or 14 feet. The fishermen and pilots take advantage of this and charge enormous sums for their assistance. Two American vessels here have each been on shore considerably damaged and paid from 600 to 1000 Rix Dollars pilotage.* * The English having taken Heligoland the inhabitants who chose to stay of course become Englishmen, and none of those now will venture as pilots. The Danish Government being very severe with them."

From Tönningen Mr. Nicholas went to Amsterdam and then to Hamburg, where he arrived July 18, 1809, and immediately wrote:

"late last night I arrived here & sorry am I to say that the first news I have to inform you of is the melancholy situation of your ship *Liberty* Captⁿ Kingston. Captain Wilson's letter this moment received by Messrs. Schwartz Brothers I give you an extract of, 'I'm sorry to acquaint you that I've just rec^d a letter from Captⁿ Simon Kingston of the ship *Liberty* belonging to our mutual friend Stephen Girard Esq^r of Phila^d stating his ship to be aground at the mouth of the Eyder & in a very precarious situation, her rudder is gone, her stern loose, considerably damag'd in her bottom, & had at 10 o'clock this morning 7 feet of water in her hold. Her cargo consists of cotton & rice. I've dispatched lighters to save whatever they can of it & of the ships materials but if the gale continues I am

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fearful little will be saved. * * There was likewise lost last night or rather the night before totally the schooner *Discovery*, Captain Ray from Phila^d, cargo belonging to Messrs. James Smith & Co. of that place.'

"We may esteem ourselves peculiarly fortunate," Mr. Nicholas continued, "in getting in without any accident being the largest and only ship out of several that have arrived lately that have incurred no injury."

Captain Wilson, writing from Tönningen, July 21, 1809, gave his story of the wreck: "During the last 10 days the weather here has been uncommonly boisterous equally so with the worst winter months. On the 27th in a most violent gale your ship *Liberty* came on shore at the mouth of this river. After riding at anchor till the danger of losing all their lives became very great Captain Kingston slipt and run for the Channel, but as there is no buoys down it is not to be wonder'd that he miss'd it, and the ship is now stranded. On the 28th the weather was something better, on which day at 2 P.M. I rec'd a letter from Captⁿ K briefly stating the accident and written from the ship *Florida* at anchor under the lee of the sand the *Liberty* is on. I lost not a moment but immediately proceeded to this place and engaged all the Lighters I could to go down and save what was possible of the cargo, and to strip and lighten the ship by every means. Accompanied by the consular agent I went in the fastest sailing boat and came along side of the *Liberty* about 8 P. M. and immediately open'd the hatches and commenced loading the Lighters several of which were by this time down, at about 10 o'clock mean low water she was quite dry all around her, when I could perceive at a small distance a stern of her 8 or 10 feet of her heel with part of her Fore foot, her rudder is broke short off in the neck and the tide ebbs and flows inside the same as outside of her, but we cannot yet

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perceive whether it is in the starboard bilge on which she lays, or about the keel and garboard and streak that the water flows in and out. We continued at work till the flood tide and high sea prevented us doing more. On the next ebb as soon as the sea was sufficiently fallen we went at it again, and that low water had 8 or 10 boats loaded with cotton, logwood &c. and greater part of the riggin and spars.

“The Vice Consul who is extremely active on the occasion (an old seaman) remained with Captⁿ Kingston to load fast as possible other lighters then down. As Mr. Nicholas is absent I came up to this place to receive the cargo saved, attend the drying such as is wet, mending those bags that want it, which by the way is every one of them, for the bagging is so rotten it will not bear the least touch. Great deal of the cotton is loose and much of it will be lost on that account. I am very anxious for the arrival of Mr. Nicholas for it requires all our wits and exertions to guard against the rascally natives here who from the highest down are the greatest knaves and thieves I have ever been among. Some of the rascals have made a declaration that the ship was deserted and claim that they have saved: The fact is that the first high water after the ship got on shore the sea was making a fair breach over her, and they went on board the *Florida* for an hour or two and returned again the moment the tide had fallen away. No boats were I believe on board her during the absence of the crew.”

In the course of three days the cargo was removed. “As they had a constant supply of Lighters, we (Mr. Nicholas and Captain Wilson, who returned to the ship on the evening of the 21st) found the greater part of the cargo out of her. I should suppose by this time (July 23d) she is entirely clear’d. As we concluded to thro the remaining

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rice overboard unless any of the lightermen would like to take it to Tönningen for salvage, we cannot at present send any account of the quantity sav'd, the ship lying so far from land gives the boatmen who mostly belong to the Elbe great opportunity to plunder, and altho' every precaution has been taken to prevent it, I am fearful great deal have been taken. Yesterday when down I with my carpenter, Capt. K. and the consul examined far as possible the Hull of the ship. She appears to have suffered great deal about the fore part of the keel and fore port. Some of the lower planks are started off abaft, and we can feel a plank off in the Starboard bilge. At present the wind is easterly and moderate, this will keep out the tides and I think prevent her sanding any more. In the meantime we are making preparations for getting her off. But this is so miserable a place that it will be difficult to find the means, there is not iron to make a few strong ring bolts to be had. We however must not despair, and for my own part I am pretty confident of success."

Every effort failed, and at the end of August he was forced to announce to Girard:

"I am extremely sorry to inform you that we have been compelled to give up all thoughts of saving the *Liberty*. In my former letters on the subject I was very sanguine in my expectations of getting her off, nor did I despair of accomplishing it until the arrival of so many American ships rendered it almost impossible to procure lighters of which we wanted two stout ones to lash alongside to assist in the floating her off. The first attempt was made with empty casks which in all probability would have succeeded as the ship was then quite clear of sand. But unfortunately when all were completed inside and outside a strong gale came on from the Westward and most of the outside casks were staved to pieces or lost. Many inside

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were likewise stove and the ship afterwards in a much worse situation. Additional casks were, however, procured for the inside and two lighters engaged for the day. The lighters went down on an ebb tide, every thing was prepared to receive and lash them. But notwithstanding their engagements they left the ship on the following flood tide nor could anything induce them to return. Several days again elapsed before others could be procured. One at length consented and engagements enter'd into by both parties. A second was still wanting and it was propos'd to purchase one. Accordingly after a tedious negotiation a good, substantial one was bought and both immediately dispatched to the ship under the direction of the Vice Consul and a carpenter from Hamburg. But the situation of the ship had become so much worse and the quantity of sand in her so much increased that it was unanimously agreed next day by Captain McLeveen, Bowen and Kingston, the Consul and myself together with the positive opinion of the Hamburg carpenter, that nothing could be done to save her, to abandon her altogether. Accordingly the crew and people employed were order'd to strip the lower masts, to take everything movable out of her, finally to save whatever was practicable. Then it was that Capt. Kingston first left the wreck."

And now a dispute arose over the ownership of so much of the cargo as had been saved. While it was still on the *Liberty* her Captain wrote Schwartz Brothers that a report was afloat that she had been abandoned by the crew and that the ship and all she carried belonged to the Lord of the Manor. That she had been abandoned the Captain denied.

"It has been suggested that property saved will be claimed by the Lord of the Manor. This however cannot be as the ship was not deserted by the crew except for a few

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hours at high water time. They were on board of a ship at anchor not more than half an English mile from her, and the moment the tide fell away, that the sea became smoother they went on board again, no person having been near her interim."

This proved to be no idle rumor, and after the cargo was put ashore Mr. Nicholson reported that he had "never been able to get possession of it from those individuals who claim a salvage upon it. Ever since the landing of that part sav'd I have as urgently as possible been pressing for a decision against them. Its their object to establish that in the absence of the Captn. & crew the ship was taken possession of, but we have by the declaration of the Captⁿ, Mate, & Crew most clearly prov'd to the contrary and nothing but the extremely tedious delays of the Courts of Justice in this Country withholds it from us, as we have no doubt but that it will be in our favor."

In September the Court handed down its "Decision in the case of Captain Kingston, ship *Liberty*;

"That the disaster which happened to the aforesaid ship is to be considered as a case of stranding and that the interference of the authorities shall be approved of and is hereby approved as well as the sale of the damaged goods. But a sufficient legitimation having now taken place, the goods saved and the amount of those sold, is to be delivered over to the claimants after estimation, against sufficient security in hand, that costs, fees and salvage shall be paid."

"By this decision," said Mr. Nicholas, "the goods are not entirely freed from those taxes which I was desirous of relieving them of—as the item '*fees*' includes 2 pc. to one of the Governm^t. officers and 300 marcs currt each to two others, in lieu of the 2 pc. currt. each, which they demanded and was what kept me from getting

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possession of the goods. I expect that a valuation will be made in a day or two when the goods will be at my disposal when I shall select such as are damaged and forward them to Altona, the remainder I have already advertised to be sold in about 10 days."

Such was the news which during September, October and November, 1809, reached Girard. The *Good Friends* had been seized and condemned, the *Liberty* was a wreck, the *Helvetius* had been taken to Copenhagen and the *Voltaire* to Yarmouth.

The *Voltaire*, however, was soon released.

"The *Montesquieu* has however been more fortunate," wrote Baring Brothers. "Mr. Nicholas informs us by his letter of 7 July from Hamburg of his arrival at Tönningen in the *Montesquieu*, after a passage of 31 days and that he was about setting out for Amsterdam to advise with Messrs. Hope & Co. respecting the destination of the cargo. The *Voltaire* we are happy to say has been released on payment of Captors' expenses, which we have not hesitated in agreeing to being very moderate amounting to £—— for which you are debited, and it being likewise very doubtful whether the strict Letter of the existing Orders in Council was not in favor of the Captor, which would at all events have given them expenses if we had carried the case into Court, and would have added very considerably to the amount. The ship is now detained by our embargo which, however, we expect will be raised in a few days."

In this state of affairs the *Rousseau* "arrived off Heligoland the 20th July after a passage of 31 days, I stood off and on that island 16 hours in hopes of getting a pilot, however in that I was disappointed. The next morning the weather appearing favorable I made sail for the entrance of the River Elbe, and in sight of the Beacon

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at the entrance of that River was boarded by an English man of War Brig who told us that they were in possession of Cuxhaven. that evening off the entrance of said river I got a Cuxhaven pilot to whom I am to pay 30 guineas and arrived here safely the next day, the 22d of July, where we remain untill we hear from your correspondents at either Hamburg & Altona whether or not the *Rousseau* will be received at either of those places with safety."

Schwartz Brothers, of Hamburg, advised Mr. George, the supercargo, by no means to go to Altona, nor Glückstadt, the French having a brig stationed some two German miles from that town, but by all means to go to Tönningen, whither, accordingly, the *Rousseau* was taken and moored near the *Montesquieu*.

Next to arrive was the *Voltaire*, and early in August all three supercargoes were landing their cargoes at Tönning, and in October, 1809, departed for home.

By the 15th of September Girard had heard of the fate of the ships and wrote Baring Brothers & Co.: "It is remarkable that out of six ships which I have dispatched for Europe since the Embargo has been taken off, that three of them have been captured, one lost, and only one has arrived at her destination. I have not yet heard of the ship *Rousseau*. * * In respect to the ship *Voltaire* I hope that shortly after the date of your letter you have obtained the release of that ship & that she was permitted to proceed to a Dutch or Danish port."

Captain Wilson was assured "the loss of my ship *Liberty* was undoubtedly a very unfortunate circumstance, nevertheless I can assure you that it has not affected me near as much as to hear of the capture of the ships *Good Friends* and *Helvetius* by the Danes and the *Voltaire* by the British. Although I am convinced that those three ships have or will be acquitted, yet I feel much

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mortified to think that our flag is so little respected as to be molested when everything is perfectly clear, and shows that Vessel & Cargo are neutral Property."

To Mr. Hutchinson: "The unfortunate situation of our commerce as it respects our foreign trade as neutrals offers an unsafe and gloomy prospect for our foreign maritime operations.

"I presume that Circumstances have compelled you to abandon the intended expedition to India of the ships *Voltaire* and *Montesquieu*.

"I have heard of the capture by the Danes of the ship *Good Friends*, Thompson, carried to Norway, & the ship *Helvetius* Baush, carried to Copenhagen; but knowing that you was at Gothenburg, in the beginning of June last, I hope that you have obtained the release of the former and have proceeded to Copenhagen in view to obtain the acquittal of the *Helvetius* so those ships may land their cargoes and proceed to Russia.

"Messrs. Baring Brothers & Co. of London advise me under date of the 6th July last that the ship *Voltaire*, Bowen, master, had been captured by a King ship and carried into Yarmouth. A few days after I received advices from Mr. Samuel Nicholas supercargo of the ship *Montesquieu* & from Capt. Robt. Wilson master of the ship, of their safe arrival at Tönning and of the loss of the *Liberty* at the entrance of the Eyder. of the ship *Rousseau* I have no advice.

"The unfortunate news which I have lately received will not encourage me to make further shipments to Europe, unless the belligerent Powers should change their plan of conduct towards our Flag. consequently I request in the most particular manner that you will keep me constantly advised of every circumstance which you will judge interesting to me."

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To Messrs. Thomas & Son, New York, to whom Girard frequently made consignments for sale in that city, and who often inserted in the New York newspapers notices of auction sales of his goods in Philadelphia, he wrote telling of the loss and capture of his vessels and said, "the gloomy prospect of our commerce give me great deal of uneasiness, particularly in regard to the safety of my Property on the continent of Europe. Should you receive any advice relative thereto please to communicate them to me at an early period."

By November the *Montesquieu* had reached Philadelphia and letters as late as the 25th of July, 1809, had arrived. In reply he wrote: "I am much pleased to hear that you adhered to the Captor's (of the *Voltaire*) proposals. Nothing is to be made by contending with that class of men. By the ship *Montesquieu* I am advised of the safe arrival at Tönningen of said ship *Voltaire*, and of the acquital of the ship *Helvetius* by the owner thereof paying Court charges and seven Hundred R \$ to the Captors and the latter condemned to pay for unloading & loading that ship. to this sentence Mr. Dan^l Adgate has appealed."

This in the opinion of Girard was wrong, and when writing to Mr. Hutchinson, Jr., he said: "I am glad to hear that the ship *Helvetius* was acquitted by the inferior court at Copenhagen, but I am at a loss to know what has induced Mr. Dan^l Adgate to appeal to a higher Court. It will perhaps answer a good purpose, but when I take into view the detention of that ship, which a few hundred Rix Dollars would have prevented, it is probable that if I had been there I should have preferred to compromise with the captors by giving them something over than was allowed to them by the Court. In respect to the ship *Good Friends* the conduct of the Judges who have in the first instance condemned that ship at Christiansand is

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piratical & disgraces the Government of that country, but when we are in the hands of Robbers there is no other alternative than to get out of their reach as well as we can. With that impression I flatter myself that during your stay at Copenhagen, that you have applied to the heads of government for redress. This I am informed is done in that country with great facility. I have no insurance on the six ships & cargoes which I have dispatched since last March to Europe."

"I am one of those," he told Baring Brothers, "who did not approve the non-intercourse law passed at the last session of Congress, nor did I flatter myself of any success when I dispatched my ships for the Northern ports of Europe, but having their cargoes on hand without prospect of effecting here the sales thereof with safety and advantage, I was compelled to seek for a better market. So is to be regretted that the British Government did not sanction the arrangements made by Mr. Erskine. How far their non-intercourse will prove fatal to the commerce of both countries, time alone will ascertain the result of that unpleasant misunderstanding."

The *Voltaire* and *Rousseau* having come safely home, preparations were made, in December, to send them to Charleston; but fearing that ice would stop the navigation of the river, Girard applied to the Mayor for permission to load them on Sunday. It was granted, and three days later they started down the river.

Instructions to the supercargo of the three ships, Mr. Titon Grelaud, made clear the purpose of the expedition. "With this I deliver you invoice & Bill of lading of the following articles. 151 Boxes of Indigo intended for exportation to a permitted port in Europe amounting to \$65,012,57; 1000 barrels superfine Flour amounting to \$8084,44 with two sealed bundles containing \$26,000 in

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Savannah & Charleston Branch bank notes and a small bag of gold equal \$4000 Spanish Dollars which I have shipped to your address on board the ship *Montesquieu*, Robt. Wilson, master & yourself supercargo.

“The Flour is to be landed and sold at Charleston. The neat Proceeds of that article and of the two hundred Barrels shipped on board the *Rousseau* together with the specie on board those two ships, amounting to \$60,000 is to be invested in cotton as far as will be necessary to complete the loading of those two ships.”

Her voyage from Charleston was to be to “a permitted northern port of Europe, yet those ports having been for sometime back put from time to time in a state of blockade by the Orders or Decrees of the belligerent Powers, I judge it prudent to refer you to further Instructions which I intend to write you on that subject and which will be delivered to you before your departure from South Carolina.” Should Mr. Hutchinson, Jr., think a voyage to China could be made without infringing the Decrees or Orders in Council, the *Montesquieu* was to take 150,000 or 200,000 Spanish Milled Dollars, to be invested in Canton goods.

The *Rousseau* was to sail in company with the *Montesquieu* to Charleston, subject to the instructions given Mr. Grelaud, and carried flour and \$30,000 in specie and bank notes.

The *Voltaire*, with a cargo valued at \$201,026.36, was bound for the River La Plata and a market at Montevideo or Buenos Ayres. Should the supercargoes, Mr. George and Mr. Nicholas, find it impracticable to land the cargo at either place, she was to go to another port in South America, or to a Portuguese port on the coast of Brazil, as seemed best, and having sold the cargo for Spanish Milled Dollars proceed to Canton. The three

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ships went down the Delaware late in December and early in the new year passed out to sea.

At home during the autumn, as letter after letter brought news of the conduct of the Danes, and letters telling of the capture and condemnation of American ships at Christiansand, owners and shippers met to protest to the Government. At Philadelphia, October 19th, 1809, merchants and underwriters interested in vessels and property captured by the Danish privateers gathered in the Merchants' Coffee House, adopted resolutions, and appointed a committee to carry them out. The Committee was to prepare a report to the President setting forth the facts and circumstances attending "the late enormous and alarming depredations committed by Danish cruizers on the property of citizens of the United States lawfully navigating the high seas, and actually destined for ports in Denmark, Sweden and Russia." It was to present to him "the vexatious proceedings and unjust condemnation of such property in courts acting under the authority of Denmark, not only in violation of the law of Nations, but in contempt of those documents and evidences of neutrality which have hitherto been considered sufficient," and "respectfully request that such measures may be speedily adopted as the wisdom of the executive may devise and the magnitude and emergency of the case requires."

Of this Committee of five Girard was made a member. His colleagues were Thomas Fitzsimmons, William Jones, Henry Pratt and Charles Pleasants. Thus constituted, the Committee began by calling on all sufferers from Danish depredation to furnish it with the names of vessels seized, of their owners and captains, their tonnage, the value of the cargoes and ships, and the names of the shippers and kind of goods they shipped.

THE DANES SEIZE HIS SHIPS

While the Committee was busy gathering information on which to act, Girard's correspondents were writing to announce that further "rigorous measures had been adopted in the Danish ports against the importation or circulation of colonial products"; that "the late Kingdom of Holland has been formally annexed and is made a part of France. The consequence of which will be that all prohibiting Decrees against commerce will now be rigorously and effectually enforced in Holland as they are in France"; and that the action of the Danes made it evident that they "have either the disposition, or are under the necessity of acting agreeably to the wishes of France."

The action of the Danes was explained in a letter from Hamburg, December 1. "The Danish government have adopted some measures that have caused much uneasiness & sensation here. On the 28th ulto. the unexpected intelligence was arrived at Altona prohibiting the further exportation of colonial produce from that place, and on the following day an arrest was put upon all the Warehouses in Altona and a Commission has been named to investigate the Neutrality of the goods. It is notorious that France was not pleased with the trade carried on by the Americans in the neighbourhood which in their representations to Denmark they have stiled masked shipments from England. To clear themselves on this score and perhaps to avert greater mischief, the Danes have adopted the above measure which we continue to think is not intended as a hostile one against America however odious it is in itself and disastrous as it must prove in many respects. It is impossible that after proclaiming the legality of a trade, laying a heavy duty upon the transit of the goods, and thus authorizing purchases or advances, that a seizure can take place, & requires a very powerful nation indeed to commit such an act of injustice. but

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whilst we feel pretty confident on this subject, we have to complain of a very serious mischief inasmuch as the present momentary arrest puts all the bargains which were made and which were not yet delivered, out of force."

Some cotton which Mr. Hutchinson had sold at 53 groats banco per pound, he was, in consequence of this action of Denmark, unable to deliver.

"But this sale was rendered null on the next day, by circumstances putting it out of our power to comply with the conditions, as have been all sales made by others of goods which there was not delivered, although sold many weeks before. This has been in consequence of the late measures of the Danish Government who have since the 28th of last month discontinued giving passports for permission for articles to be imported from Holland, and have prohibited any merchandise to be transported from one warehouse to another. This measure at first caused a very great uneasiness in the minds of holders of articles of import whether of this country or foreigners, but it is now pretty generally thought that the Danish government have only in view an examination for the discovery of goods of English produce or manufacture, and that when they have made this examination those restrictions will be removed. At Tönningen the houses are sealed and the vessels lately arrived with their cargoes on board. I think it will be bold for a merchant to adventure his property this way."

"Another decree," wrote Schwartz Brothers of Hamburg, December 12th, "has been published by the King of Denmark appointing a Committee at Altona, Tönning, Husum and other ports of Holstein & Sleswick to examine all goods arrived since the last 6 months and ascertain their being real American produce & property until which they are not permitted to be exported."

CHAPTER IV

SEQUESTERED CARGOES

THE Commissioners appointed to examine the cargoes sequestered at Altona were slow to act. January, 1810, came and little had been done. The Altona Committee, Schwartz Brothers complained, had not yet finished the business. "According to all accounts from Copenhagen and Paris great hopes can be entertained that the *bona fide* American property will soon be released. In the meantime all stores at Altona remain shut and unless with special permission of the Committee no goods can be removed.

"In order to accelerate the decision respecting American property as much as possible, Mr. J. M. Forbes the here residing Consul for the U. S. is gone to Copenhagen to make direct application to the King and to judge by the good cause he pleads and the talents and abilities of the representative we may flatter ourselves with the best success."

They were not mistaken. He did succeed, and with no little pride wrote Girard:

"Having come to this city (Copenhagen) at the request of my fellow citizens, interested in the property under arrest in Schleswick and Holstein, to endeavor to obtain its liberation I am happy to say that I have so far succeeded that the reports of the Royal Commission at Tönningen and Glückstadt have been approved by the King and orders given to raise the arrest in those places. The Altona Commission have been also instructed to release such property as shall be clearly proved to be neutral and in all doubtful cases they are to demand of the Magistrates at the place of importation the proofs on which the property was originally admitted, and to send for-

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ward their answers of the Magistrates together with all documents presented to them to the Royal Chancery in this city who will decide and I am assured that in cases of doubt much confidence will be given to my representations.

“I have also obtained his Majesty’s promise that the buoys shall be reestablished in the River Eyder by which the dangers of that difficult navigation will be much lessened.

“This will prove interesting to our merchants provided we have the good fortune to preserve the trade to Tönningen another season, *but* in the present time a few weeks produces so many changes that it is folly to attempt to counsel distant speculation. By a new order of His Majesty, the King of Denmark, all colonial produce is prohibited. The produce of the U. S., in our own ships, will alone be received. I have not seen the Royal order but am confident of the authenticity of my information.

“Every circumstance shows that throughout Europe our commerce will be reduced to carrying and sending our own produce.”

Captain Baush of the *Helvetius* had been informed by very good authority “that the King of this country is about issuing an order to prevent any ships being stopt except British, under any pretense whatever.

“The Emperor of Russia has demanded of this and the French Government to order in all the privateers from the Baltic, that they may not intercept the neutral trade of his Majesty’s ports.” Should the report be true, there would be no difficulty in making the proposed voyage to Russia in the spring.

February, 1810, came and “the sequestration still continues on your property in Holstein,” said Mr. Hutchinson, “but we have assurances from the commission that it will be in a short time liberated. Unfortunately for those interested in the property in that situation these agents

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of the government endeavour to profit by putting off, as long as possible, their declaration of acquital, and to prevent unnecessary delay we" have found it necessary to present "them occasionally with douceurs to expedite our cases."

Douceurs had little effect, and when March came Schwartz Brothers reported that the sequestration of all property imported at Tönningen and other ports in Denmark was still in force; that it was hard to say when the Commissioners for examining that brought in by American vessels would end their deliberations; that they gave in their decisions very slowly and were extremely dilatory in all their proceedings, and that the cargoes of the *Montesquieu*, *Rousseau*, *Voltaire*, and *Liberty* were still lying at Tönningen and Altona under sequestration. Daily promises were all they could obtain from the Commissioners. Not until the middle of April were they able to report "the pleasing intelligence of our having obtained a few days ago, the entire release of the *Montesquieu's* and *Rousseau's* cargoes—and hope our next will advise you the same of the *Voltaire* and *Liberty*."

The *Rousseau* and the *Montesquieu*, with eighteen hundred and twenty bales of upland cotton costing \$80,286, were then on their way from Charleston "to a north port of Europe." Should they go thence to Russia, or Canton, or come home, the trade conditions of Europe made it difficult to decide. As Girard looked over the map of the world he could not find a desirable port to which, because of Orders in Council, French Decrees, or Danish privateers or coast blockades, a neutral vessel could be dispatched with safety. The profit on a return voyage from a permitted port to Philadelphia was trifling compared with that on a cargo of teas from Canton to Amsterdam. Could it be made? Would the tea be admitted? On this he consulted the Barings.

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“Exchange on London is in the greatest Stagnation owing to a great number of Drawers who are principally speculating and shipping produce to England particularly cotton. Should the non-intercourse law be recalled even in the curious manner as it has passed the Lower House I have no doubt that your market will be abundantly supplied with that article. * * *

“Being one of those who does not believe that this country will embark in the present European misunderstanding, or at least that a war will not originate from this quarter, and desiring to employ my ships and a part of the funds I have in Europe with some advantage, I still keep in view a China expedition. Consequently beg that you will inform our mutual Amsterdam friends and Mr. Mahlon Hutchinson, Jr. or in his absence Messrs. Schwartz Brothers, of Hamburg, Mr. Titon Grelaud Supercargo of the ship *Montesquieu*, and Captⁿ Robert Wilson, of your opinion founded on your maritime law and the several existing Orders in Council, also on the customs adopted by your Admiralty Courts, so they may be able to decide with some degree of confidence how far the ship *Montesquieu* will be safe, as it respects British capture, to proceed from a North port of Europe, with specie &c., on my account to Canton thence to take in a China Cargo also on my account and from there to return to Europe or to come back to this port. One of the motives which renders me anxious to despatch my ship *Montesquieu* to China is in consequence of an old debt of about \$35,000 which the supercargo of my ship *Helvetius* contracted on my account early in 1807, with Houqua, a Hong merchant of Canton.”

In case the *Montesquieu* could not go to China, Captain Wilson was to take on a cargo at Amsterdam, and purchase, for use on a ship then building, a good bell, two old anchors, one of sixteen and one of fourteen Dutch

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quintals, twelve ship muskets with their bayonets, six pairs of pistols, and twelve cutlasses. Mingled with instructions are complaints of bad treatment by his European correspondents, especially in the cases of the *Helvetius* and *Good Friends*.

"If my name," he said to the Barings, "was unknown to every person who resides on the continent of Europe, it is probable that my property could not have been more completely abandoned to the mercy of the Danish captors than what it has been in the present instance. When I represent to myself that at the date of the last letter which I have received from Norway, that the ships cargo and crew had been in that savage country for about nine months during which time Mr. Will^m Adgate the supercargo thereof informs me has received no advice nor assistance from my European friends except from you Gentlemen, * * * I am much mortified particularly when I consider that Messrs. Hope & Co. could have with great facility put an end to that unlawful proceeding."

To Mr. Mahlon Hutchinson, Jr., he said:

"When I take into view this little attention, protection or assistance my ships *Good Friends* & *Helvetius*, with their cargoes, have received from those pretended friends who reside on the continent of Europe I feel much mortified. * * As it respects the Amsterdam house Mr. Edward George & Mr. Sam^l Nicholas who have applied to them for advice &c. on the subject of my interests, have informed me that their answers carried the colouring of a great indifference."

To Hope & Co. he said: "I am much disappointed in the detention under capture of my ship *Good Friends* in Norway and the *Helvetius* at Copenhagen. I was in hopes that the friends which I have on the continent of Europe, particularly you, Gentlemen, would have by their early

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interference obtained the release of my ships, but instead of that I have the mortification to observe that the whole of that valuable Interest is left to the entire care and management of the supercargoes of these two ships who being perfectly unacquainted with the Customs and intrigues of those countries will not be able to prevent a serious loss.

“The ship *Montesquieu* being one of the best ships floating I have destined that vessel for a voyage from Europe to Canton.” Hope & Co. are therefore requested to spare no pains to obtain permission to enter a cargo of teas when brought back by the *Montesquieu*. Quite sure they would not, he instructed Mr. Hutchinson, Jr., to visit Messrs. William and Jan Willink and ask them to obtain leave to bring in the teas. The *Montesquieu* unhappily was not to make the voyage to Canton. Napoleon had begun to enforce his Continental System. Decree followed decree in rapid succession, vessels were seized, cargoes were sequestered, goods were burned, ports were closed, Holland and the Hanse towns were annexed to France, and in a few months’ time the commerce of Europe was all but ruined.

What was happening in French ports was told by Mr. Robert P. Branu, who went to Bordeaux with a venture of his own. “You have no doubt heard of the rigorous measures adopted by the Government against American property which, by a decree of the 22^d of December, was declared seized and confiscated. My evil star permitted me to escape capture and to arrive without accident at Passages on the evening of the 5th of February. Scarcely had I time to congratulate myself on escaping a British frigate which chased us when, before the ship came to anchor, a boat from the Custom House came to inform us that we were seized and confiscated. I am utterly

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crushed by the news because I have every reason to believe that I shall lose, by an arbitrary order, the fruit of several years labor. As there is still some sort of negotiations going on about this matter there is a feeble ray of hope left. I came here with all necessary documents to prove that the ship and cargo are in proper order and that none of the provision of the decree of Milan can in any sense be applied to it. * * * There are no more ships here, they have all gone to England loaded with wine and provided with licences. The government is supposed not to know about any of these manouvres, which makes it difficult for the vessels to come back here, and they will probably be sold to the English."

His hopes were disappointed and from Paris, May 7th, 1810, he wrote: "I came here on the 2^d of March. The journey has not been as successful as I had hoped. Some hope had been entertained that his Majesty would modify his decree of the 22 of December: but I am afraid the fate of our countrymen has been definitely settled by a decree rendered on the 11th of last month at Compiègne where, at a great council attended by all the ministers, the Emperor ordered the sale of all vessels and cargoes confiscated in the ports of Biscay. Everything is being carried to Bayonne and as soon as all is collected there, the sale will be held. A letter which I have just received from San Sebastian informs me that on the 25th of April General Thouvenot ordered the sequestration commissioners to execute the said decree. Accordingly they are now dismissing the crews; but they are not allowing food from the day of discharge so that general Armstrong has to make some arrangement for feeding them.

"The American vessels that have been captured by the barges in sight of the coast of Spain and taken to France are more fortunate than any others. They have

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almost all of them made an arrangement on shores with their captors, and the Prize Court confirmed the transaction, which will accordingly be carried out. This government is by no means inclined to make a concession, and I believe its only object in authorizing those made by the privateers is to encourage the work. General Armstrong told me a few days ago in no case would restitution be made until after the return of the frigate *John Adams* which left Le Havre on the 20th of April, because the said frigate has the ultimatum on board. As I know not what the Emperor's proposals are, I have no idea what the President will reply, but I know very well that the United States have forfeited the respect they formerly enjoyed in France. People here cannot understand why Congress was so imprudent as to declare in the Non-intercourse Law that it would seize all French vessels, except those with mail on board, coming to our ports, when it was not at all probable they would come, nor how Congress could fail to see that it was exposing our vessels to reprisals, based on the same principles, in all the ports of Europe where the Emperor has power. * * *

"The rigorous measures enforced by the French government against our commerce make me fear that the cruizers of the Isle of France have orders to stop our vessels. It appears that they are trying to force Congress to declare itself. It is openly stated at social gatherings that we are not willing to fight for honors sake, alluding to the affair of the Chesapeake, and it remains to be seen whether we are willing to fight for money."

"A treaty," the Barings wrote, "has been concluded between the Emperor of France & King of Holland one article of which places at the disposal of France all American property which has been sequestered in the ports of Holland since the month of January 1809."

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When Louis Bonaparte ascended the throne of Holland in 1806 he did so under the guarantee that he should rule over an independent kingdom. As an independent ruler he had borne himself ever since. All efforts of his brother to extend the continental system to Holland were in vain. The Berlin and Milan decrees were not enforced, trade with Great Britain was allowed, and as many as a hundred ships a month, Napoleon complained in 1808, left Dutch ports for those of the enemy.

Determined to stop this trade, Napoleon, toward the close of 1809, served notice on Louis that if he wished to keep his crown he must maintain an army of 25,000 men, seven ships of the line, and fifteen frigates, and enforce the Berlin and Milan decrees. That this demand might not seem to be an idle threat, Napoleon, in January, 1810, annexed the island of Walcheren and occupied Brega and Bergen-op-Zoom by force.

Then Louis yielded, promised to execute every order, and at Paris, March 16, signed a treaty which bound him to seize all American ships and property in the ports of Holland.

Returning to Holland, he still hesitated to obey; whereupon 20,000 French advanced on Amsterdam, and July 1st he abdicated in favor of his son, fled secretly from Haarlem, and made his way to Teplitz in Bohemia. July 9th, 1810, Napoleon annexed Holland to France.

A week after the signing of the treaty with Louis, Napoleon took steps to carry into effect such of its provisions as most concerned him, and issued his Rambouillet Decree, under which American ships and cargoes, seized in the ports of Holland, Spain, France and Naples, to the value of ten million dollars, were condemned and sold.

When, therefore, Hope & Co. replied to Girard's request

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that they obtain permission for him to import into Holland teas brought from Canton, they were forced to report that it could not be done.

“We are sorry that the present situation of our political affairs does not permit us to take any steps at this moment in compliance with your desire respecting the permission alluded to. The same measures which of late have been so strictly observed against the American navigation still continue in force, and the tendency of the treaty between the French Government and ours seems to admit of no mitigation on that head. It has been stipulated by them that all American property imported here since the 1st Jan^y 1809 shall be seized in order to be disposed of by the French Government according to the Political Relations between that country and America. It would be therefore by no means advisable to demand the said permission, nor can we entertain any hopes of obtaining it at this moment, and for the future it will depend entirely upon the political relations which are to take place between France and America.”

About the time this letter was written the *Rousseau* reached Elsinore and the *Montesquieu* the entrance of the Eyder. The *Rousseau* was ordered to Stralsund and then in ballast to Russia; but where to dispatch the *Montesquieu* Mr. Hutchinson was still undecided when, on May 25th, he heard of the Decree of Rambouillet, and hurried to Stralsund “to accelerate if possible the sale of your property and the departure of your ship, before a French Consul is sent to that place who will enforce the decree against our commerce.” He arrived too late, and 534 bales of cotton were sequestered by the French government, “together with all other American property at Stralsund.”

The *Montesquieu* meantime sailed to Swinemunde

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and then to Kiel to get specie for Canton, but in view of what was happening, her destination was changed to Philadelphia with German dry goods. "During our passage," wrote Mr. Grelaud, "Swinemunde to Kiel we were informed that the British Admiralty, since a few days, had given orders less detrimental to our commerce, than those which they had previously been acting under. They will not interrupt our vessels that have touched at Sweden for orders or information & that wish to continue their voyage further up the Baltic; the Sound is blockaded by the English, & Americans must pass through the Belt. during my stay at Swinemunde a French consul arrived at Stralsund, which belongs to the Swedes, and early the following day a sequestration was laid upon all the goods to be found in the place. About 530 bales of your cotton by the ship *Rousseau* is in that situation.

"The number of American vessels that are gone to St. Petersburg this year, are reported to be fifty or sixty in number. We must naturally suppose Russia goods will abound next summer in America. There are said to be one hundred American sail at Gothenburg. The Supercargoes of some of them not knowing what to do, have left their vessels at that port and come on to this city (Hamburg) to see what they can possibly do.

"The cotton from the ship *Montesquieu*, clear of the charges of Stettin, which include lighterage, duties, custom house officers fees &c will neat I suppose from 23 to 26 cents pr lb. profit; that is it sells for from 38 to 41 cents clear of duties."

"Since my last letter to you of the 2^d inst," wrote Mr. Grelaud from Hamburg, July 8th, 1810, "Mr. Hutchinson has received your favor of May desiring him to send the *Montesquieu* home if she is not gone to China. I am glad to observe that your orders correspond with that gentle-

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ments previous decision. He has since three or four days purchased the linen and glass which he ships on your account on board that ship, those articles will be sent from here in two or three days more to Kiel where the ship is. You will previous to the receipt of this letter have learnt the abdication of the crown of Holland by Lewis Napoleon in favor of his son & that the Queen is appointed regent whilst Marshall Augereau has made Amsterdam his headquarters. All the ports of Denmark, except Kiel, have been & are closed to all Americans. It is not known whether that port will remain long open. The sequestration on American property at Stralsund is not expected to be taken off for some months yet, even privateers are fitting out from the port which has caused all Americans to run off with their ships from that port. The several Vessels that were waiting permission to discharge whilst I was at Stettin have all been permitted to unload, giving bonds, as almost all Americans have done, that should the French Government call upon the Prussian Government to reimburse the amount of the property admitted, the merchants are bound to make good the total.

“We have heard of no Americans returning from St. Petersburg yet, the Sound being blockaded by the British, they cannot pass it and I know not whether they will permit them to stop in the Belt.”

“We have this moment,” Schwartz Brothers wrote July 24th, “received authentic accounts from Berlin that orders have been issued to close all the prussian ports to Importations in American Vessels. The orders as follows: that after the Publication of the Decree (published the 19th instant) no Vessel whatever bearing American flag shall further be admitted into the ports of the prussian Dominions, but that all such ships, without *Exception*, shall be immediately ordered away without breaking bulk. We

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must therefore seek another Market for your ship *Good Friends*. Mr. Hutchinson appears to be of opinion that a port in Russia will prove most advantageous. We shall act in concert with him for the best of your Interests. * * * *

“The period we now live in is so very rich in Extraordinary Events and the Commerce in Europe subject to so many sudden changes that its impossible for us to give you such information as might serve as a guide for your future Commercial operations in this Quarter; for your government we communicate to you the present State of Affairs. In the North, Holland being now united to France, Trade of course is stopt from thence & all the ports in the North Sea (Tönningen, & Husum included) as far up as the Baltic are closed to all Importations for the present. The only port in Holstein still open is Kiel & a small place in its vicinity called Eckernfarde. The coast from thence all along the Baltic as high as Riga is likewise now entirely closed. How long Kiel will remain open it is difficult to say.”

From Stralsund the *Rousseau* was sent to St. Petersburg, where the *Helvetius* had preceded her and from whence, July 2d, 1810, the *Helvetius* sailed for home.

“After some detention,” wrote Mr. Daniel Adgate, “we were enabled to sail the 2^d instant with a head wind. Off Moon Island, 10 o’clock P. M. the 12th instant, we were brought too by His Britanic Majesty’s Ship of War *African* G. F. Rives, commander, and by him forbidden to pass through the Sound and by this Gen^t ordered to Dan Head a point of land in Swedish Pomerania just at the entrance of the Belt. Yesterday morning we were directed to get our ship under way to proceed on our voyage with the *African* 64, a sloop of war, and four gun brigs with about one hundred and fifty sail of merchant ships. Since we left

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St. Petersburg we have been informed that Denmark had shut their ports against Americans.

“When we left Cronsted your ship *Rousseau* was taking on her cargo. If she meets no detention will probably arrive at Philadelphia as soon as we shall.”

Thus forced to take British convoy, the *Helvetius* made her way to Gothenburg without paying her Sound dues. This the British would not allow the Captain to do. Lest trouble should follow, Mr. Daniel Adgate went on to Copenhagen to pay them.

His visit, however, was fruitless. “As you wish to put Mr. Stephen Girard perfectly *au fait* of our doings,” de Conick & Co. wrote Mr. Daniel Adgate on August 14th, “with respect to the ship *Helvetius* Capt. Bausch, we beg to inform you that we were told by one of the members of the Controlers of the Customs that an application for procuring from the King a safe guard against any Danish privateers for the *Helvetius* Capt. Bausch, he having been under convoy, was a thing which could not be asked or granted but that we should merely circumscribe ourselves to demand permission to settle for the Sound dues. We are in hopes that by obtaining said permission posterior to the fact being known to his Majesty of the *Helvetius* having been under convoy, it would operate in her favor & effectually screen her from being detained by other privateers because of having been under convoy, but on striving to get nearer information on this subject from the fountain head, we got the disagreeable intelligence that this was not the case & that nothing could screen a ship from condemnation which had once been under convoy in case she was met & carried into port by another Danish privateer.”

The failure of the non-importation act of 1809 to produce any good results led Congress in 1810 to enact what is known as Macon's Bill No 2, which repealed the

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act of 1809, restored trade with Great Britain and France, but provided if, before March 3d, 1811, either belligerent revoked or so modified its Orders or Decrees that they no longer violated the neutral rights of the United States, the President should proclaim the fact and if, within three months, the other power did not likewise repeal its edicts, trade with it was to be prohibited.

By the end of June copies of the *Gazette of the United States*, a newspaper published in Philadelphia, containing the full text of Macon's Bill No. 2 reached Paris. Armstrong at that time had received no official communication on the new law from the Department of State; but he took a copy of the *Gazette* and sent it to Champagny, then known as Duc de Cadore.

No sooner did Napoleon see it than his decision was taken, and he at once wrote to the Ministre de l'Interieur. Americans, he said, could now come to France. Should they come they would, under the Berlin and Milan Decrees, be sequestered because "all would either have been visited by English ships, or would have touched at an English port." It was not likely, therefore, that any would come to French ports unless "assured of what France means to do with regard to them." Either of two things, he continued, could be done. He could declare that the Berlin and Milan Decrees were repealed and commerce reopened, or, he could announce that they would be repealed September 1, if by that date England had recalled her Orders in Council. Supposing the Decrees repealed, the situation would not be changed. The Americans would bring sugar and coffee; but when they reached a French port they would find custom duties "by which we shall be able to say that we do not want the sugar and coffee brought by Americans because they are English merchandise." In other words, if the Decrees were repealed and the ships allowed

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to enter French ports he could, by enormous custom house duties, shut out the cargoes. "Thus it is evident that we should commit ourselves to nothing."

This letter was written on June 25, and July 15 a new Decree made known how American ships would be treated, and restored trade in a limited degree. Thirty American vessels might bring cotton, oil, dye-wood, salt fish, codfish, and peltry from the United States to France; but they could bring no other goods, must come from Charleston or New York and no other ports, must export wines, brandies, silk, linen, jewelry or furniture made in France, and to prove that they come from Charleston or New York must show a newspaper published in the city they left on the day they sailed, and a certificate from the French consul with a sentence written in cipher.

Three weeks later, from the Trianon, August 5th, Napoleon issued a decree putting his new tariff in operation. Cotton from the United States, sugar, coffee, cocoa, tea were to pay duties equal to at least half their value. Traders must at once declare all colonial goods in their possession and pay the duties or suffer confiscation of the property. Dépôts of such goods within four day's journey of the French frontiers were declared clandestine and troops were sent into Switzerland and Spain to seize them; Jérôme was ordered to enforce the Trianon Tariff in Westphalia, and Eugène and Murat were recommended to enrich their treasuries by seizing the property of Englishmen and Americans. All colonial goods at Stettin were seized because they were to be considered English goods brought in by American ships.

The Decree was followed the same day, August 5th, by what is known as Cadore's Letter to Mr. Armstrong, a letter of which a Paris house sent Girard a printed translation, which reads as follows:

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"Copy of the Letter from the Minister of Foreign Affairs, to Mr. Armstrong.

"Paris 5th August 1810.

"Sir.

"I have laid before his Majesty the Emperor & King the act of Congress of the 1st May, extracted from the U. S. gazette which you sent me. His Majesty would have been pleased that this act and every other of the Government of the U. S. which may interest France, had always been officially communicated. In general he has only been made acquainted with them indirectly and after considerable delay. Much serious inconvenience results from this delay, which would be avoided if these acts were speedily and officially communicated.

"The Emperor approved the embargo the U. S. laid upon their vessels; because this measure though prejudicial to France did not militate against its honor. It occasioned her the loss of her colonies Guadeloupe, Martinique and Cayenne. The Emperor did not complain of it. He yielded to this sacrifice in favour of the Principle, which induced the Americans to lay the embargo, inspiring them with the noble resolution of foregoing their navigation, rather than submit to their laws who wish to domineer over it.

"The act of the 1st March raised the embargo and substituted in its stead a measure which could not but militate against the interests of France. This act which the Emperor only became well acquainted with after a considerable delay, interdicted the commerce of France to American vessels, at a time it authorized that with Spain, Naples and Holland; that is to say, countries under the influence of France; and denounced the confiscation of French vessels, which might enter the ports of America.

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To retaliate was lawful and commanded by the dignity of France with which it was impossible to compromise. The sequestration of all American vessels in France was a necessary consequence of the measures adopted by Congress.

“Congress now trades back its steps. It revokes the act of the 1st of March. The ports of America are open to French commerce, and France is no longer interdicted to Americans. Infine, Congress engages to declare itself against that Belligerent Power which shall refuse to acknowledge the rights of neutral nations.

“In this new state of things, I am authorized to declare to you, Sir, that the Decrees of Berlin and Milan are revoked and that to date from the 1st of November, they will cease to have their effect, being well understood, that, in consequence of this declaration the english shall repeal their orders in council, and renounce the new principles of blockade which they have wished to establish; or the V. S. conformably with the act which you have just communicated, shall cause their rights to be respected by the English.

“It is with peculiar satisfaction, Sir, that I acquaint you with this resolution of the Emperor. His Majesty loves the Americans; their prosperity and commerce are agreeable to his views of policy. One of the principal titles of glory for France, is the independence of America. Since that period the Emperor has been pleased to aggrandize the U. S. and in all circumstances, whatever may contribute to the independence prosperity and liberty of America, the Emperor will consider as conformable to the interests of his Empire.”

Every Packet now brought Girard other copies of the famous letter.

One in English came from Mr. John Spear, who, in consequence of the letter, was about to reopen his house at

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Nantes with a branch at Cherbourg. John Lewis Brown & Co., of Bordeaux, hastened "to inform you that the Emperor has repealed all his decrees against the United States & our ports are open to your flag on the 1st of November next.

"The duties on imports are very considerably augmented as you will perceive by the annexed statement." They were: On cotton 800 francs per quintal, metrique, or 200 lbs.; on coffee 400 francs; on raw sugar 300 francs; indigo 900, cocoa 1,000, on clayed sugar 400 francs, and so for a list of twenty enumerated articles. On those not in the list the old duties were doubled, and over and above, a war duty of ten per cent. was imposed.

"Our government under date of the 5th instant (August)," wrote Paul Duret & Co. of Bordeaux, "has repealed its decrees in regard embargoes and has admitted all colonial commodities on the payment of duties given in the list at the foot of this letter." In their list were twenty-three articles.

Mr. Hutchinson sent a copy of the decree in French. He had just returned from a journey along the coast of the Baltic, made in hopes of finding a market for the cargo of the *Good Friends*, but to no avail. "Tho' holding as it were in my hand the glittering object, which in these corrupt times appears the only means of succeeding, I have now lost all hopes of accomplishing my wishes. Said ship lies now safely at Nyborg waiting my orders for her future destination. I wrote you last on the 2^d instant pr your ship *Montesquieu*, which left Kiel on the 3^d for home, with a valuable cargo of linens amounting pr invoice to B° 326,054, for your account, came to anchor off Nyborg the same day, and the next, it blowing very hard, Capt. Wilson cut cable and made sail, and arrived safely at Gothenburg. * * *

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“The *Helvetius* is also safely at Gothenburg bound home, and Mr. David Adgate, pr last advice, at Copenhagen making some arrangements for security against Danish capture for those ships of yours which may be prevented by the English from paying their dues. * * *

“Enclosed I send you a copy of the French Imperial Decrees of the 5th instant, revoking the Berlin and Milan Decrees. Some look upon this very favorably; but I am afraid and seem to think it is only a political finesse.”

“The whole of the ports in Holstein, Kiel included,” said Schwartz Brothers, “are now closed as well as all others along the coast of the Baltic up to Riga, and colonial produce has been laid under sequester at Stettin, Stralsund and the ports in Mecklenburg. All these severe measures have not yet had the desired effect on our Markets here, notwithstanding no more produce of the West Indies or America can be brought to Altona from the different places of landing, as by orders lately issued a new line of customs has been drawn diametrically across Holstein from Glückstadt to New Stadt on the Baltic. * * You will of course have heard that France has, under certain restrictions, repealed the Berlin and Milan decrees. We sincerely hope a modification of the different cruel measures adopted in this part of the world may also take place shortly.”

Wilhem and Jan Willink of Amsterdam complained that “the British do not seem to yield to the impulse given by the French of modifying the System, and the French give Licenses to American Vessels to Import Colonial Produce from America; the Paris letters even seem to contain the prospects of a favorable turn to American affairs in France which we certainly hope may be realized. Here business is in a sad situation indeed, and the duty of 50 pr. c. which is now payable on or

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before the 15th Inst. is a heavy burden upon many people; it is computed to amount to 16 to 20 millions Guilders, a sacrifice which is hard indeed and which will be the consequence of the ruin of several; we have no trade but actual consumption and prices nominal and imaginary, rising and falling according to the demand for actual Wants; * * * The State of Affairs here is actually a crisis. The general diminution of fortunes is very great and the prospects are involved in great uncertainty. We hope that circumstances will soon admit of doing again some business."

David Parish & Co. of Antwerp had not troubled him with their "advices, as the differences unfortunately existing between our respective countries, which had put a stop to all commercial intercourse, rendered them altogether useless.

"Since the revocation of the Berlin & Milan Decrees, hopes are again entertained, that this intercourse will be resumed provided the British Orders in Council are withdrawn. Until this is the Case there are reasons for believing that some danger may await American Vessels entering ports of France. It is however true that the *Ida* and another vessel from Boston, coming into the Garonne since the extinction of the law of Non-intercourse, have been admitted to entry. The basis on which our Government appears disposed to operate is, to compensate the Treasury for its past losses by imposing very heavy Duties, & in future to require the exportation of French products in Exchange for the Goods, valued at the short price, that are imported into the Empire."

Mr. Branu, in a long letter full of his own losses by sequestration, sent Girard an abstract of Napoleon's decree of July 5, granting permission to thirty American vessels to import certain articles from New York and Charleston.

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At the foot of the letter, under date Bordeaux, August 16, he gave in full Champagny's letter of August 5th concerning the thirty ships. Lassabathie & Laffitte wrote from Bordeaux:

"Meanwhile our Government has provided for a speedy and effectual means of reopening the mercantile transactions between France and the United States of America by granting Licenses by virtue whereof American vessels will be permitted to import to this country, cotton, fish-oil, Dyewood, codfish, saltfish, coffee and sugar of the French Islands, Asia and America, Cocoa and all sorts of species of the Dutch Islands, Indigo, Ebony, Mahogany & every other goods & produces of the East & West Indies. Tobacco & all other articles prohibited to be imported in France, excepted.

"Certificates of origin are no longer required by our Government. A License is sufficient, and will only serve for American Vessels sailing out of the ports of the Union which the French consul is to certify at the foot of the License. Every Vessel thus admitted into a French port is to export the value of her cargo in Wines, Brandies or other Goods of French produce, manufactures or Arts, Gin, Flour & Cheese excepted."

Napoleon now turned his attention to the goods sequestered by Denmark, and at Paris October 4th, 1810, issued a new Decree.

The printed translation reads: "Napoleon, Emperor of the French, King of Italy, Protector of the Confederation of the Rhine, Mediator of the Confederation of Switzerland.

"Considering that a great quantity of colonial produce is accumulated in Altona or other parts of Holstein, arising from prizes made by the Danes, and wishing to favor the Court of Denmark, We have decreed and do decree as follows:

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“Article 1. All colonial articles at present lying in Holstein arising from Prizes made by Danish privateers are permitted to pass our Line of Customs by the way of Hamburg, on paying the duties specified in our tariff of 5 Aug, which shall be annexed to the present decree.

“Article 2^d. All merchants and holders of Colonial Produce who may wish to profit by the privileges granted by the present decree, have to make their declaration to the Director of Customs at Hamburg, in the course of the month of October.

“Article 3^d. They shall have permission to import their goods into the line of Customs by paying the duties specified in the tariff.

“Article 4th. The holders of Colonial Produce in Holstein who shall not have made their declaration before the 1st of Novbr. shall be excluded from so doing thereafter as well as to profit by the privilege which We grant them by this present Decree.

“Article 5. Our Minister for Foreign Affairs, of Finances and of War are charged, as it concerns each of them, with the execution of the present Decree.

“NAPOLEON”

October 20th King Frederick of Denmark supplemented this Decree by one of his own. Napoleon having made known the conditions on which colonial produce in Holstein might pass the French Custom Houses, Frederick announced the conditions on which such produce might be exported to and through Hamburg by a

“Decree concerning the Exportation of colonial produce from the Dukedoms” and by a

“Decree concerning the Duty on colonial produce in the Dukedoms.”

The first, in nine articles, specified with great detail the

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manner of procedure to be followed by the exporter, and required "Every person who hath in his custody within the Dukedoms those goods which are specified in the French tariff, either for trade or belonging to merchants," to declare "without delay and within 24 hours after the publication of our present decree, before his Magistrate and the Custom house officer, which and how many of the said goods are in his possession or custody"; and to declare "within 48 hours thereafter, before the said officers, which and how many of the said goods, he intends to declare before the Director of the French Customs in Hamburg for importation there."

The second decree fixed the duties to be paid, in Schleswig-Holstein currency, on a list of goods "lying in the Dukedoms which are not destined for exportation to Hamburg, or may enter in the future by confiscation or capture."

Concerning this decree Schwartz Brothers wrote:

"Our Commercial Horizon has never, in our opinion, worn a more gloomy aspect than at the present moment. About three weeks ago a Decree was issued at Paris imposing immense Duties on a long list of foreign articles which (we) doubt not will come to your knowledge before receipt of this. This measure has been followed and adopted throughout all Germany and at last by the King of Denmark. This very day a new decree (in substance the very same as that of France) came from Copenhagen, subjecting all colonial Produce to the Duties of the new Tarif, that is, produce lying now in Holstein, but it is presumed will shortly extend to all Parts of the Danish Dominions.

"This most unfortunate circumstance has thrown everything into confusion here and a general consternation prevails at present. In case the amount of the

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new Duties, which are excessive heavy, must be paid immediately it will prove most ruinous to a number of holders of produce. A meeting of the latter is convened to-morrow to deliberate on the Measures necessary to be taken for the Protection of American Interests in the present circumstances." * * *

Every letter from abroad told the same story of ruined commerce.

"I am sorry to observe," said Mr. Bickham, "that the late decrees for the new Duties are likely to have a worse effect than was at first supposed. I understand that a number of consignees intend giving up the Goods in preference to engaging themselves for the Duties. Things are certainly in a most embarrassing extraordinary Situation & no correct Information or Opinion can be given at the present moment."

In his letter Mr. Bickham enclosed one received by him from Schwartz Brothers.

"As the mail only arrived a few hours ago its impossible to form an exact idea of the effect this measure may have in future. At the present moment confusion and consternation prevails among our merchants. To-morrow morning a meeting of the principal holders of colonial Produce will be held at the American Consulate to deliberate on the measures necessary to be taken to protect American Interests under the present circumstances.

"There appears to be little doubt that an enormous duty, one way or other, will be exacted on colonial produce in Holstein, and if the whole amount of duties mentioned in the Tariffs must be immediately paid, one half of the property will certainly be abandoned, as it will be impossible for most of the holders of such property to raise the necessary funds. This is a dreadful crisis and a death

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blow to commerce. Whether in future the prices will rise in proportion we cannot say just now. with most articles we presume it may be the case, but at same time it will, we think, be extremely difficult to effect any sales of consequence. Of all this it is however impossible to form a correct opinion. * * *

“The general opinion is not to make any declaration at all and consequently to refuse paying that enormous duty which is on most articles much higher than their real value. The consequence of which will be a new sequestration, if not worse.”

Said Mr. Branu, then at Bayonne:

“You were informed that the Duke of Cadore, Champagne, wrote to General Armstrong on the 13th of September that the Emperor would give up American property as soon as our government had repealed the law relating to the security given for French property. This opening promised well, but did not prevent the issuing of a decree on the 22^d of September (9 days afterwards) by virtue of which 7 schooners and a ship, which happens to be mine (the *Hawk*) were arbitrarily seized without any reason or motive being given. I do not know what estimate the Government has placed on these vessels, and those who seized them on the 11th of this month do not know either; so that if anything is returned we shall have to submit to anything that suits them. * * *

“All over Europe the greatest search is being made for colonial commodities. All wholesale and retail merchants are forced to declare the quantity they have and to show how they acquired them, and if they are found to be in the wrong, the goods are confiscated. Those which are not confiscated are subjected to a duty of 40% *ad valorem*. A commission

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has just been appointed to try summarily and without appeal all offenses relating to smuggling. Those who are smugglers will be branded V. D. (Voleurs douane) and sent to the galleys for 3, 5, 7, or 10 years depending on the nature of the case. * * *

“I sent you a copy of the licenses which are granted by this government; they cost 30 Napoleons or 600 francs, but I do not believe any one will take out such a license because it contains conditions that no prudent man can accept. In case of fraud or departure from the license the government reserves the right to fix the amount of fine according to its pleasure.”

Mr. Hutchinson sent from Hamburg copies of the new French and Danish decrees.

“Enclosed I send you several decrees of the French Emperor and Danish King by which you will observe the determination of the Emperor to force the several powers under his influence to exact the enormous duties on foreign productions fixed by his tariff annexed to the decrees of the 5th August last. These duties are to be exacted on goods already imported without any regard to whom the property belongs. The greatest consternation prevails here. On almost every article it exceeds the value from 50 to 100 p. c. All confidence is lost with regard to the several governments and people do not know if they should pay this, how soon another may be imposed. It is expected that some melioration must take place, either an entrepot established or time allowed. The goods in Holstein are in charge of the Danish authorities. At Copenhagen the duty on cotton is fixed at 40/ Danish currency pr lb. In Swedish Pomerania these duties are not yet laid, but we expect pr first mail to hear of them being imposed. Saxony, Prussia, &c have already been compelled to adopt these measures, and I doubt much

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if Russia and Sweden proper will not be obliged to follow which will make them general throughout the continent.”

The relief Mr. Branu expected was given by another French decree issued “At the Palace of Fontainebleau

1st Nov. 1810.

Napoleon Emperor of the French &c &c

We have decreed and do decree as follows—

Article 1st. All colonial goods subject to the tariff fixed by our Decree of 5th August 1810 which may come from the Isle of France from Batavia and the colonies in our possession whether in the East or West Indies shall be exempt from all Custom duties if they come directly into our ports in French or Dutch vessels.

2^d. Colonial goods arriving from the same colonies shall pay only a quarter of the duties fixed by our said decree of 5th August if they come directly in American vessels.

3^d. The documents found on board the Vessels proving the execution of the conditions prescribed in the 1st and 2^d Articles shall be submitted to us in a Council of Commerce that we may decide on their validity.

4th. The present decree shall have a retroactive effect, and shall be executed as if it had been issued on the 5th August 1810.

5th. Our Ministers of the Finance and of the Interior are charged with the execution of the present decree.”

NAPOLÉON.

When reporting this decree John Lewis Brown & Co. wrote: “We refer you to our respects of 10th August and 19th September and have the pleasure to inform you that the Emperor decreed the 1st instant that American vessels coming to France direct from any of his colonies actually in his possession in the East or West Indies, & particularly from Batavia & the Isle of France, will be subject to pay only a quarter of the duties ordered by his Decree of 5th August

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& of which we have transmitted to you the particulars. French and Dutch Vessels coming also direct from those colonies will be exempted from all duty whatever.

“It is of course indispensable to come direct to a French port without touching at any intermediate port whatever. The goods must also have proper documents to prove that the shipment thereof was made in the Colony and that the goods are the natural growth thereof & every document must be legalized by the signature of the colonial Prefect or Governor. The omission of this formality would be fatal. * * * *

“No French License is required coming direct from Batavia or Isle of France with colonial produce, nor any for vessels coming direct from the United States with your natural produce.”

Mr. J. M. Forbes, the American Consul at Hamburg, sent word to Girard that the late decrees “have been modified on the part of France and some hopes are entertained that the circulation of the present stock on hand of colonial produce may be effected without total loss to the owners. This modification only extends to the mode of payment of the late duties, which are not reduced in amount except on the article of cocoa. All the duties may now be paid at 3, 6 & 9 months approved Bills, in merchandise, or the goods may be deposited at Entrepots and the duties paid in proportion as sales are effected. Some difficulties are still to be apprehended. No rates or prices are yet fixed, at which the goods are to be received in payment for Duties, and it is said that one of the persons charged with the execution of the measures has made remonstrances to the head of his department at Paris, whose influence is very great. On the last point (the Entrepot) it is not yet ascertained what length of time the goods may remain before the duties will be exacted.”

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Mr. Bickham, then at Tönningen, told how the decrees were being enforced.

“The Detention of the *Snipe* gives me time to inform you that the Hamburg mail of this morning brings intelligence of several Merchants Compting Houses and Books having been sealed there. That Sweden has declared war against England & sequestered all colonial Property Imported since the 24th April last. All the vessels that have arrived lately in Prussia from foreign voyages have been seized.

“Business continues in the same state of stagnation as when I wrote you last. People are waiting with anxiousness for an answer from Paris to the last Representations that were made. They hope that there will be some mitigation of the late Decrees such as receiving goods in payment of the Duties at a Reasonable Ratio.”

As late as December 7 the question of the payment of the duties was still unsettled. Writing on that day from Hamburg Mr. Hutchinson said: “Instructions were said to have been received from Paris and that Eudal finding them in his opinion not explicit enough, has written for further explanations, consequently they will probably continue thus for another fortnight yet. It seems as if this gentleman was disposed to work against the unfortunate holders of the property as much as in his power. Yesterday a large quantity of English manufactures was burned on the banks of the Elbe just without the walls of this city. I went to see this most singular sight. Thirty-six waggon loads, consisting of printed goods, plain muslin, nankeens and twist were committed to the flames. The ceremony was attended by Douaniers—gens d’armes, and all the French troops, and the concourse of spectators very numerous. There was no sham in the business. Every package really contained merchandise, seizures made previous to the appearance of the burning decree. Pass-

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ports are now granted by the French, in this place, for goods which have paid the duties, for all parts of cedivant Germany. The house of R & S de Smyth, of one of the first in Europe have stopped payment."

"My last," wrote Mr. Hutchinson on December 30th, "was dated 11th instant since which great political changes have been effected in the north. The Hanse towns, Hamburg, Bremen and Lubeck, have been annexed to the French empire, together with the whole coast of the North Sea, excepting the Danish dominions, which it is probable before long will have a similar fate. The frigate *Essex* has arrived in France, bringing the Presidents proclamation, renewing the non-intercourse with England, from the beginning of February, if the Orders in Council should not be repealed previous to that period. I am afraid that we have been the dupes of the French government; three American vessels have lately arrived in France, of which one, the New Orleans packet is already condemned. A friend of mine stated that he has seen the *procès verbal*. The other two still remain under seizure in execution of the Berlin and Milan decrees. Several American vessels and cargoes in Russia, the last arrivals, have been sequestered and pr last advice still remain in that situation. It is expected they will be held until the new continental tariff is introduced, and then given free. Sweden has shut her ports to us; from Gothenburg they write several American vessels are returning home with their outward cargoes. This will, I expect, convince the merchants of the propriety of making no further shipments to Europe, more than any argument, until there should be more reason for fixing a well grounded opinion that their property will have a friendly reception. The new continental tariff has been introduced into Swedish Pomerania, but the property sequestered there has not yet been released."

CHAPTER V

TRADING IN SOUTH AMERICA

DRIVEN from the ports of Western Europe, Girard turned to South America and the far East, and in December, 1810, Captain Wilson and Mr. Arthur Grelaud, supercargo of the *Montesquieu*, were instructed as to a voyage to Valparaiso and Canton.

“The unpleasant prospect of our European commerce, together with my anxiety to employ my ships as advantageously as possible,” was the reason given the Captain for the voyage. The cargo was valued at \$112,224.97. At the same time Captain McLeveen and Mr. L. C. Vanuxem were dispatched in the *Rousseau* to the River La Plata with a cargo worth \$106,718.13. She was to touch first at Montevideo and then ascertain if it would be safe to go on to Buenos Ayres. If assured that it was not safe, a market was to be sought at Montevideo while the Captain and supercargo decided whether to proceed to China or return home.

Scarcely had the *Rousseau* dropped down to Reedy Island when a letter from the supercargoes of the *Voltaire* led Girard to change his instructions. Fortunately the desertion of three sailors detained the ship and the new instructions were delivered to Mr. Vanuxem in person.

“Since your departure from Phila, I have received two letters from Mr. Edward George and Mr. Saml Nicholas supercargoes of the ship *Voltaire*, Ezra Bowen master, dated Buenos Ayres 4 & 11th September last wherein they advise me that at that period, upwards of one fourth of that ships cargo was unsold, owing principally to the badness of the market and the misunderstanding existing between the new government established at Buenos Ayres

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and Monte Video, the latter being in favor of Ferdinand VII. They also say that the provinces of Peru and Potosi having refused to adopt the measures of the new government, they have stopped all communication with Buenos Ayres." Should it appear on reaching the River La Plata that the ship could not go to Buenos Ayres or Montevideo "without being molested," she was to proceed to Valparaiso, Callao, Guayaquil or Panama if any one of them was "open to our flag."

The *Voltaire* left Philadelphia in January, 1810, and after a voyage of fifty-five days, from land to land, came to anchor in the harbor of Montevideo early in March.

"We were greatly surprised to hear from the harbor master who came on board a little while after our arrival," wrote Mr. Edward George, one of the supercargoes, "that this port had been open to foreigners since the 6th November last. We heard also with great satisfaction that your friend Mr. Martin Bickham was in this place. We immediately advised him of our arrival; but he was on board before he received our note, and in a hasty manner (as much as circumstances and Spanish regulations would permit) gave us the *Watchword* for our Government. As soon as we got permission to land we diligently inquired with *caution*, of the situation of the market, the prices of goods and principally of our prospect of accomplishing your ideas of our intended voyage. Mr. Bickham gave to us every possible information on those different subjects and we have reason to be convinced that his friendly advices are really the best to be procured.

"We have found here a number of English vessels which have glutted this market with all their manufactured goods for which the Spaniards begin to take a fancy, on account of their cheapness, and of the scarcity of the articles which they formerly received from Spain. The

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British having no other places now for the vent of their goods are obliged to sell them at a great loss, and therefore oblige the Americans to lower the prices of the other European merchandise which they import here. Several of our countrymen have been lying many months without being able to obtain the prices which they ask for, but finally they will be under the necessity to submit to circumstances. In consequence, therefore, of the opening of the ports of this Vice Kingdom and of the quantity of goods already in this market, we have determined to proceed to Buenos Ayres that city offering a better prospect of a quick disposal of our cargo, and for the facility of getting the *Solid Means* of accomplishing our intended voyage.

“Monte Video being a small place few merchants from the interior part of the country come there to make their purchases, and on the other hand the difficulty of procuring good and safe vessels to transport the goods from here to Buenos Ayres induces us to try this market, where at this moment are the merchants of Lima and other ports of the country to supply themselves before the bad season commences. Another powerful reason which determined us to leave this is the *impossibility* of procuring *Dollars* as we are assured they are not to be procured here, and the scarcity is such, that even we cannot actually flatter ourselves to obtain them at Buenos Ayres, the Government has positively prohibited their exportation. They may be got (not without very great difficulty and delays) only by employing certain extraordinary *means*.”

This letter, written in March, reached Girard on June 14th. Meantime, in May, came a letter from Mr. Bickham, written at Montevideo, “under the impression that all commercial information is pleasing to you.”

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“All vessels must be consigned to a Spanish house who must enter the whole of the cargo at the Custom House before the expiration of 24 hours, under severe penalties in case of non-compliance.

“All kinds of goods are admitted except those held as a privilege of the King (such as Tob^o & quicksilver) and articles of Spanish production (such as wines, brandy, &c) which are strictly prohibited.

“All goods except those which Imitate Spanish manufactures pay the circular Duties which are from 20 to 45% upon an evaluation made by the officer appointed for that purpose called the *Vesta*. * * *

“The exportation of gold and silver is strictly prohibited and the returns for proceeds of cargoes are to be made in productions of the country for which purpose vessels will be admitted in ballast.

“The consignees are not permitted to sell the cargoes by Retail for account of the foreigners. They must sell the goods at wholesale and become security for the duties, &c.

“It seems to be the universal opinion that if Spain is conquered (which no doubt is effected) these provinces will form a separate government of their own, and I have no doubt that let what will be the State of Europe a very important change will take place in this country before long. The intercourse which foreigners have had with it for some time past has given them opportunity of communicating to the Inhabitants sentiments which have enlightened them considerably. * * * But they have been so much oppressed that their disposition will hardly admit of freedom and Republican form of Government. They are still rather jealous of foreigners and are apprehensive that the Portuguese and English intend attempting to subjugate them and are determined upon resisting to the utmost in their power. They have ordered all English

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and other foreigners residing here who are not regularly naturalized or who are not mechanics or cultivators to leave the country.

“The country itself is not forward in Improvements for they have been so much oppressed as to discourage every kind of enterprize, therefore its productions are confined to a few articles which are Hides, Tallow, different kinds of wool, copper, tin, Jesuit Bark and Spices some of which are brought a Great Distance from the Interior. The quantity of hides on hand is immense.

“The articles of import are principally for wearing apparel, some few articles excepted such as Salt, Tin, Steel, Glass and Hollow ware, cutlery, Lumber, Salt Fish &c.

“The market is now glutted with all kinds of English goods from the Brazils &c, and indeed the English Imitate the manufactures of every country: Brittaina’s and other German goods are brought here from the Looms of Ireland and Scotland extremely well imitated and cotton goods are selling at & under prime cost; therefore few dry goods can be sent here from America to give a proffit.”

From Montevideo the *Voltaire* made her way to Buenos Ayres whence the two supercargoes, Mr. Edward George and Mr. Samuel Nicholas reported their arrival on March 14th.

“This market is absolutely glutted with every kind of English goods, and tho’ they are not the same as those which compose our cargo, nevertheless the prices are generally so low and the sacrifices so great, that less attention is now paid to the quality than it was formerly.”

By the close of March the greater part of the cargo had been landed and passed through the Custom House, and

“Certain arrangements” made, “which will tend to reduce the enormous duties which are imposed by this

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government; nevertheless the sum that we shall have to pay for our cargo will be immense. We have not yet been able to procure yet an estimation of the duties upon every article, because the merchants themselves are unacquainted with the intricate & mysterious calculations of the Custom House officers. But we must calculate in Globo upon 25 to 30%. The duties on the cotton and woolen goods amount almost to a prohibition. * * *

“We have taken a store in a central and mercantile part of the city, where we intend to place our boxes of samples and a small quantity of bales of each quality, and then to wait for the purchasers and to seize the first opportunities to make as good sales as circumstances will admit.”

This sort of storekeeping ended in failure.

“We have been frustrated in our hopes, owing to the quantity of English goods arriving constantly in this place, which have kept the price of every article so low we could not have made large sales without heavy losses. We have held on as long as we could, but the arrival of an American brig and a little while afterwards of a ship from Salem, both loaded with German Goods obliged us to alter our former prices, & notwithstanding that alteration, the people of this country seeing one or two American Vessels, thought that every day others might appear, & therefore declined making any purchases for some time. ***

“When we arrived here we certainly were well aware of the fall of the Linnen, if many Americans were coming here, and consequently we endeavored to dispatch our business as quick as possible and to sell large parcels, but it was impossible. In the meantime had we lowered our prices suddenly, we would not have been more successful, because, since the arrival of the Englishmen in this place, the mismanagement of some supercargoes has induced the

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shop keepers to believe, that every day the goods are to fall, if once the owners offer them cheaper."

They had indeed come at a time most unfavorable for trade. Bad as the market had been made by the British, it was now made worse by the politicians. The establishment of Joseph Bonaparte on the throne of Spain was no more acceptable to the people in the colonies than to those in the mother land, and one by one Buenos Ayres, Valparaiso, Santiago, Caracas, Bogota, set up independent local governments and declared for the deposed King Ferdinand VII.

At Buenos Ayres the new viceroy, Cisneros, was opposed from the day he landed in May, 1809, and now, in May, 1810, he was quickly deposed by a popular movement and a "junta gubernative" set up in his stead.

Fortunately, wrote the supercargoes, some sales were made "before the revolution which took place in this government as since that epoch no business, no sales whatever have been done. This sudden change has created uneasiness amongst the merchants and capitalists. The uncertainty of the manner with which will be received the news of the extraordinary revolution in the country renders every one cautious and apprehensive, therefore no one is willing to purchase and send goods in the Interior until it is known whether the people make no opposition to this government."

"Since our last respects," they wrote in June, "the Situation of this place has grown worse and worse every day, and no sales whatever have taken place, owing to the instability of this new government adopted by some and rejected by many; therefore the Capitalists prefer to keep their cash in their Chests rather than purchase goods and to Expose them in the interior parts of the country, at a moment, that it is reported that many

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country people are decidedly against the Establishment of this Junta to which Montevideo is also opposed."

"Since our last respects of the 29th June," they wrote on August 12, "we are sorry to say that nothing has occurred to ameliorate our affairs. The political events have absolutely put a stop to every kind of business. It is impossible to make any kind of sales, even by making great sacrifices, because there is no consumption on account of the opposition of some provinces of the Interior to this new government. However many are in hopes that everything will be settled in favor of the Junta in a short time as they have sent an army of 1500 men in the interior in order to favor the rising of the people against the chiefs who are opposing the new system as much as they can. We therefore must wait the issue of that contest, and if, as it is probable, this government succeeds, then confidence will be reestablished, and the merchants will come down from Peru and Chili to make their purchases. * *

"The British don't cease to pour into this place all their manufactures. the quantity is such, the sales so slow, and the duties amount so high, that the merchants begin to refuse the consignments. From the 25th to the 30th June the duties paid at the Custom House have amounted to \$88,742."

During September and October the political situation grew worse each week, and when November came a large part of the cargo was still unsold.

"The opposition of the Chiefs of some of the provinces of the interior has put a stop to any kind of business. The communication with Chili, Potosi, Peru, and Lima having been cut, and consequently the money from the Mines prevented to come down, no merchant did wish to make any purchase whatever. This unsettled state of things cannot last long, as the army of Buenos Ayres has

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made considerable progress in the interior. By the last a/c they were at 70 leagues from Potosi, and the population of that place as well as from Peru is entirely decided to side with them. Chili has put down the old Chief and formed a Junta on the same principles as Buenos Ayres. It is even reported that Lima is only waiting for a favorable opportunity to ship off the Vice King. * * *

“To add to our chagrin and embarrassments, the government of Montevideo has given us a great deal of trouble. On the 18th of September they have declared this place in a state of blockade and have sent in this outer road, one Corvette, two Brigs of War & several Gunboats. to that measure has consented the British commodore to the astonishment of this government and of all the Englishmen here. The Americans were ordered down to Montevideo in three days. We went on board the Spanish Corvette to represent the impossibility, from the situation we were in, to comply with this order; with much difficulty we obtained from the commandant permission to send to Montevideo a deputation in order to obtain the necessary time to load our ships here, and during that time, our vessels were obliged to anchor outside of the Squadron at a distance of 13 or 14 miles; our deputies to Montevideo succeeded in obtaining a prolongation of time and seventy days were granted to the *Voltaire* from the 6th of October to settle all her affairs. Since this happened, at the representation of English merchants here, the British Admiral came from Rio Janeiro and forced the government of Montevideo to raise the Blockade with respect to the British flag; but that Government insists on enforcing it against us, and to oblige us to sail at the expiration of the time granted.” The sales then amounted to \$176,779.

Mr. George now set off for Montevideo to make

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application to the government for more time and was granted forty days' extension; but he was still at a loss to know how to sail with his specie on board. The government of Buenos Ayres permitted the export of dollars on paying seven per cent duty; but the government of Montevideo "won't acknowledge this Junta & therefore protests that this Junta of B^s Ayres had no right to permit the exportation of money, & should this squadron continue the blockade, God only knows how we will be able to get clear of them."

On his return to Buenos Ayres the supercargoes wrote, December 10:

"According to the private but positive information which our Mr. George received while in Montevideo, that the Government of that place intended to send orders to the Blockading Squadron here, to search the *Voltaire* and to take out the money which was on board, upon this principle that they don't consider the Government of Buenos Ayres as possessing the right to permit the extraction of money, we therefore immediately landed the money which we had shipped with the permission of this government, and have it now safe on shore."

The *Voltaire* was then to go down "to a port of this river called the *Ensenada* where she will be safe and protected, and will be able to sail without impediments whenever ready. The distance from here to Ensenada is 40 miles. We will be able to send the specie by land and then to load the ship which would be impossible to do here had the *Voltaire* remained under the guns of the Blockading Squadron."

Early in January, 1811, the cargo was sold, much of it at a great sacrifice, "so that after ten months of troubles and anxieties of every description we have the unpleasant task to present you with a very unprofitable result of

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this first part of our expedition." But their troubles were not at an end.

By means of douceurs the supercargoes had been able to smuggle on board the *Voltaire* some forty thousand dollars in specie without paying the export duty. To keep up appearances they had paid the duty on a considerable sum which they kept on shore as a blind, and were intending to ship more, as fast as the goods were sold, when a sailor was discharged from the *Voltaire*, came ashore, enlisted on a government boat and betrayed them: but in the nick of time someone who had received their gratuities notified Mr. George that the *Voltaire* was about to be seized, and she was ordered to a port some forty miles away. There she encountered a gale, lost a bower, and set sail for Rio de Janeiro.

The supercargoes expected the Captain to wait for them at the appointed anchorage.

"But contrary to our expectation, to our orders, the *Voltaire* has gone to sea. This we have ascertained, because in order to be sure of the spot where she would anchor, after we dispatched her, we did engage a man of confidence to go down in search of her, before to embark ourselves with out money in a safe vessel which we had procured for the purpose in order that we might know exactly the spot where she was waiting. That pilot after having explored all the river has returned without having encountered the ship in no place whatever.

"From an expression the Captain made use of the moment we hurried him off that in case of bad weather he would *put into Rio Janiero*, we are inclined to believe that he has really sailed for that port, in consequence of which we have wrote by the first vessel which sailed for that port to ascertain whether she had arrived there, requesting an immediate answer. * * *

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“But in the meantime we also are sensible that no blame can fall upon us. In all our public and private transactions we have acted with the greatest caution. We have succeeded in everything which we have undertaken for your interests. But unfortunately, at the moment that we are ready to bid Good Bye to Buenos Ayres, we have found ourselves into a labyrinth of difficulties; not only your property was in jeopardy but our persons, and perhaps our lives were at stake. And all these misfortunes are the result of the unaccountable folly of the man who has discharged a sailor who from the beginning had been suspicious and never permitted to come on shore as the fellow knew and was acquainted with the kind of business we were at that time under the necessity of carrying on. * *

“In the meantime the political situation of the country becomes every day more precarious. A new Vice King has arrived from Spain which the Government won't acknowledge. The people of Montevideo, it is said, desire to march against this place aided by four thousand portuguese who are on their march from the Brazils to proclaim the *princess Charlotte regent of this country*. All these new revolutionary symptoms make us afraid that if the business are not soon finally settled, we might perhaps in returning here find ourselves involved in new difficulties and loose money.”

Captain Bowen meantime arrived at Rio and, February 4th, wrote Girard:

“Know doubt you will be greatly surprized to heare from me at this place after so long a detention at Buenos Ayres, at which place I was obliged to depart from at a short notice on account of an information being lodged against the *Voltaire* of having money smuggled on board. My supercargoes ordered me to get the ship under weigh

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and proceed down the river out of reach of the Government armed vessels and there remain untill they could get the remainder of the property with their effects, provisions &c on board of some vessel to join me. At the same time I told them in case I was persued or any accident occurred which should oblige me to leave the river I should proceed direct to this place where they might be sure to find me.

"I got under weigh with the *Voltaire* from Buenos Ayres Roads on the 11th January in the night, and proceeded down the river, and on the 12th in a gale of wind had the misfortune to lose my Best Bower Anchor, with about half of the cable, and finding the other anchors not sufficient to hold the ship, I thought most prudent for the safety of your ship and property to leave the river and arrived here on the 29th Jany where the ship is in safety. I wrote to my supercargoes by an English schooner which sailed on the 31st, and informed them of the particulars, and shall remain here till I hear from them.

"The amount of property which I now have on board of the *Voltaire* is Forty-one thousand, four hundred dollars, twenty-two pieces of raw silver which I know not the value of, seventy-one bales of skins and twenty-two kegs of quicksilver which I brought from Philadelphia."

Ere the supercargoes wrote again they had heard from Captain Bowen.

"Since we wrote you an explanation took place between the government and our consignee upon the cause of the sudden departure of the *Voltaire* and everything has been settled without any further enquiries. The government has been satisfied that as it was impossible for us to ship our money on board of our ship in the outer roads, we were of course justified by the actual necessity to send our ship away, and to ship our money on board of an English ship in order to get out of this river unmolested. * *

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"Yesterday we received a letter from Capt. Bowen dated Rio Janeiro the 29th January. * *

"A few weeks ago a new Vice King has arrived at Montevideo and informed this government of his arrival through a flag of truce. The answer given by this Government was that they could not acknowledge him as these provinces had established a Junta Governative and of course would have nothing to do with him. Upon the receipt of this answer he ordered all the maritime forces of Montevideo to be got in readiness in order to blockade (and some say) to attack this place. He in the meantime requested the British Commodore to order all the English merchantmen to leave this and go down to Montevideo or Malvonado which the English Commandant has refused to do. What will be the consequence it is not easy to foresee.

"There is in this port a fine English Brig called *The Brothers*, a fast sailing vessel arrived with ten guns which is to sail for Rio in the beginning of March. We have spoke to the captain and it is almost certain that we will take our passage on board of her for Rio Janeiro, as we consider her to be the best conveyance to carry your property safe. We will take with us very near One Hundred Thousand Spanish Dollars in specie."

Ill-fortune still pursued them and, March 12th, they wrote:

"We had made a contract with the Captain to sail on or before the 15th instant. In consequence of this arrangement, on the 8th of this month, we took a permit from the Custom House to embark the quantity of specie we had. On the 10th this Government issued an order for to prohibit the exportation of specie, and even to land the one which was already shipped.

"We will not attempt to describe to you how cruel was our disappointment, you will easily form an idea of

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our unfortunate situation; however we immediately drew a petition to represent to the Government all the circumstances of our case, & through the influence of some friends we have succeeded in determining the best informed members of the junta in our favor. * *

“Should this Government persist in refusing us this permission, we must wait till the British Admiral at Rio Janeiro comes here or sends some armed vessel, and insists upon this Government permitting the exportation of money, which we know, will be granted as soon as that they will be satisfied that there is in this River a British force capable of preventing the navy of Montevideo to blockade this port, and to carry in their port the vessels sailing from here with specie.”

In some way, not narrated in the letters, the trouble was arranged; \$85,807 in 29 boxes were shipped on board *The Brothers*, and April 10th the specie and the supercargoes reached Rio Janeiro in safety and a few days later sailed for Canton.

By this time the *Rousseau* and *Montesquieu* had reached Montevideo.

“Immediately after our anchoring,” said Mr. Vanuxem, “we were boarded by an Inferior Officer of a Spanish Sloop of War, and in a short time thereafter by the Commander, who took our papers and put us under quarantine of four days. However unpleasant this proceeding was, we were told that we were still favoured as many vessels had undergone a similar one of eight and ten days, depending entirely on the arbitrary will of the commanding officer. * *

“Respecting the commercial state of this Place, our Informant says there is no possibility of selling without loss of at least 50%, and mentions, moreover, that the place is totally destitute of specie and that produce is

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very high. There is every probability of this being correct, as the Harbor swarms with English & Spanish ships.

“In regard to its political state Buenos Ayres is under a rigorous blockade, which effectually bars all open communication, and the Videans are making preparations to Besiege the Town. A sloop of War that lies close by us, goes up the River on the 9th inst.”

Unable to do business at Montevideo and finding Buenos Ayres under blockade, the two supercargoes ordered the Captain to go on to Valparaiso. To that port the *Montesquieu* was also sent, and early in April Captain Wilson wrote, announcing

“The safe arrival of the *Montesquieu* at this port on Monday the 15th instant after a passage of 101 days. * * About the much dreaded and terribly described Cape Horn we had very good weather, great deal more light winds and calms than gales. Should have been in here the day before, but it is so blind a place to see that alltho’ we ran down the coast pretty close in we had passed it several miles before we observed it and the whole sailing powers of the *Montesquieu* were exerted to recover 15 miles against a very strong wind and ugly sea which she did by ten o’clock next day and anchored about twelve.

“There’s scarcely any person here who speaks English except the Governor, an Irishman by birth, who has given us a very cordial reception and seems highly pleased at our arrival.”

May 19th the *Rousseau* anchored in the port of Valparaiso.

“After a passage of 63 days from Montevideo,” Captain McLeveen wrote. “We had a tedious time round Cape Horn the winds hanging much from the westward which unavoidably pushed us to the southward as far as 60° 27’ South. We experienced two smart gales with excessive cold weather. * * *

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“I understand that Santiago, which is thirty leagues inland from this place, is the Head place of business in Chili where the *Rousseau*'s cargo can be sold. As I cannot at this moment leave the ship Mr. Vanuxem sets out for that place this day.”

Both cargoes were taken to Santiago, which seemed the only market where sales could be made.

“Peru,” Captain McLeveen wrote June 27th, 1811, “still remains in the hands of the old Government and consequently shut to foreigners as also Guyaquil which is the port for Quito altho Quito has declared for the new government. However were they open I do not think we should gain by going there. By late accounts which have been received here from Lima the markets are over-stocked with German and other goods by the arrival of nine ships from Cadiz. As the Cordalliers are thickly covered with snow and will remain so for perhaps two or three months no goods of any consequence can pass the mountains from Buenos Ayres during that time, before the expiration of which we must endeavour to get clear of the whole cargo.”

So slowly did the sale of the cargo of the *Montesquieu* proceed, that, at the end of September, her supercargoes decide to leave the unsold part in charge of the supercargoes of the *Rousseau* and sail for Canton. Poor sales were attributed to “the state of politics in this country, the non-intercourse with Lima, and the arrival of an American Brig, the *Colt* of New York, with a cargo of German & English goods particularly adapted to the market. The want of confidence the inhabitants have in each other, the revolutions which have happened here of late, and the banishing many of the trading men, have caused a stagnation of business very prejudicial to your affairs for in such times as these it is dangerous giving credit and the scarcity of money is such that few sales can be

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effected without it. Our sales at present amount to 73,000 dollars and with much difficulty they have been made.* * *

“By advices from Don Juan B. Oyarzabel dated Lima 10th June that Gentleman advises us on no account whatever to enter any port under the control of the Viceroy, he being much exasperated against the United States for having taken possession of the Floridas and that an attempt would be risk of confiscation. This impediment and the impossibility of procuring any kind of return fit for our market has determined us to draw on the *Rousseau* for what funds we shall require and to proceed on our China voyage. * * *

To Canton, accordingly, the *Montesquieu* went, and the *Rousseau* to Valparaiso with wheat, leaving Mr. Vanuxem to dispose of the unsold goods.

From Valparasio the *Rousseau* returned to Rio de Janeiro. From there Captain McLeveen wrote, December 14th, that the wheat had been sold; that he had been forced to allow the purchaser forty-five days, and that with the proceeds of the cargo he would buy sugar, return to Buenos Ayres, where Mr. Vanuxem, having come overland, would join him, and that he would then come home with hides.

Trade was not the only thing which just at this time interested Girard in South America. A people struggling with Kings and aristocrats for the Rights of Man was a spectacle which appealed to him strongly, and this was the spectacle which, in 1811, was presented to the world by the people in the four Viceroyalties of Spain in America.

The story of those revolts, begun nominally against French rule, but really in behalf of independence of Spain, need not detain us. For our purpose it is enough to know that late in 1810 there arrived at Philadelphia Don Juan

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Vincent Bolivar; that he came from La Guayra; that he was sent by the revolutionary government in Venezuela to purchase arms and ammunition; and that he chartered the schooner *Pointer*, owned by M. Curcier, to bring from La Guayra a cargo of indigo, coffee and hides to be sold and the proceeds used to purchase guns and powder.

The failure of M. Curcier to obtain good prices for the goods, and a dispute over business affairs, led Bolivar to serve him, early in February, with an order to deliver the goods to Girard. This Curcier refused to do until certain commissions and expenses, which he claimed, were paid. Bolivar disputed the claims and thereupon Girard wrote to M. Curcier:

“The last time you wrote me, you were yourself the bearer, and I had the opportunity of talking with you of the objections you made to delivering Mr. Bolivar’s goods. Your remarks were based principally on your claims, your distrust, and your fear of meeting with trouble in settling your account with this gentleman.

“I told you that while I was inclined to help Mr. Bolivar, I did not intend to do you the least injustice, but the settlement of your affairs with Mr. Bolivar seemed so simple and easy that you had best to present your account, putting down all your claims and pretensions, even for the muskets which you said you had given orders to be bought in New York for 11 gourdes each, leaving blank the sums for the articles the amount of which you did not know. Finally to present this account to Mr. Bolivar and after obtaining his approval to consider me responsible for the payment of everything. But if this gentleman should object to some items of the account, to propose to him to submit them to the decision of two referees, jointly appointed, and to do what they thought proper. To this plan you seemed to me to agree, saying as you left my

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office that you intended to follow it; but it is a matter to which you have given little attention as appears from your letter, to Mr. Bolivar, of the 5th instant. * * *

"I am not offended at the distrust you have shown towards me; nevertheless as I am resolved to make an end of this affair, I beg you to deliver to my friend Mr. Roberjot, in accordance with the letter which he delivered you and the order he will give you from Mr. Bolivar, the following goods: 180 seroons of indigo; 147 barrels of coffee, 298 sacks of coffee, 2448 hides, shipped at La Guayra by Mr. John Estereo on board the schooner *Pointer*, Captain George W. Morse, to be delivered according to the contract made between you and Mr. Bolivar, and the bill of lading signed at La Guayra on the 7th December 1810.

"In regard to the expenses on these goods and such other claims as you may have against Mr. Bolivar, have the kindness to send me your account which I will at once present to Mr. Bolivar and will pay you cash for every item that shall be approved by him. Should he reject same, they shall be put in the hands of two or four referees, chosen by you and me together, on the understanding that I will submit to their judgment."

Arbitrators were accordingly appointed, a decision made, and the goods delivered, and stored "in the cellar under the City Hall at the corner of 5th and Chestnut Streets," which for many years past Girard had rented as a store room. An advance of 4000 gourdes was then made to Bolivar, who was warned not to buy anything on credit. Messrs. Majestre & Tardy, of New York, were then written to on February 21st.

"Not doubting that in accordance with the agreement made between Mr. Curcier and me, you will hold at my disposal the four hundred and twenty-five muskets he told me he had ordered bought for account of Mr. Vincent

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Bolivar, I beg you to have the said muskets shipped on board of the first good vessel bound for this port, to my address, and for account of Mr. Bolivar, taking care to give me notice of said shipment, and sending two bills of lading, one by mail under cover of your letter, and the other by the vessel on which you make the said shipment.

"As I was about to seal my letter, I received your account for the muskets bought for order of Mr. Curcier and notice your draft on me at sight, order of Messrs. Badaraque & Darrieux for \$4830,82 in payment for this article. I will honor it."

"We have," was the reply of Majestre & Tardy, "at our friends Messrs. Badaraque & Darrieux of your city, 236 sabres with Spanish blades and mounted here especially for the Spanish countries. Mr. Curcier had led us to expect that he would be able to dispose of them to some travellers going to those countries. As we should like to sell them, we take the liberty to request you to help us to dispose of them either to Mr. Bolivar or to some other person who would have use for them."

The muskets were put on the schooner *Express*, Captain N. L'Hommedieu, and sent to Philadelphia. Bolivar now sought to find some means of shipping them to South America and wrote Girard March 6th:

"Although I have made every possible effort to find an opportunity of sending my goods to La Guayra, I have not been able to find any better way than to buy Captain Morse's schooner and send her there under his command.

"To pay for this purchase I need 8000 gourdes cash and 4000 gourdes which I owe for the balance of the goods that I had bought previously.

"Under these circumstances nothing but your generosity can get me out of my difficulties. * * * "

"Enclosed," wrote Girard, "is the estimate of the

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advances I have made for your account, except the cost of delivery, wagons, storage &c amounting all together with the four thousand gourdes which I gave you on the 4th instant to \$17,801,22.

"I do not expect to be able to sell your goods except at a sacrifice. This unlucky circumstance will warn you of the necessity of suspending such projects as you may have in view."

"As I must not in any way retard the progress of this business," was the reply, "and as I have no other means of carrying it on save the net proceeds of the sales of the goods in your possession I must renew my request that you will advance me sixteen or eighteen thousand gourdes, if it suits you to do it."

It did not suit Girard.

"The advance of sixteen or eighteen thousand gourdes which you ask me to make, added to what I have advanced you before, would amount to thirty-five thousand gourdes. Although I wish to be of service to you, the principles on which I conduct my business does not permit me to comply with your wishes. If you insist on these important and repeated advances, I see no other way but to sell at prices current in the city or get someone else to take my place." Acting on this principle, he informed Bolivar that his goods would be held until payment was made for all advances, expenses, storage and commission.

Early in April the muskets were shipped on the *Maria*, and May 14th Bolivar wrote:

"After exhausting all the resources I have here in order to pay for the goods which I have loaded on the brig *Maria* I find that I still have obligations to the amount of 4000 gourdes to meet. I see no other way of getting rid of these obligations than to have recourse once more to your generosity." Appeals for advances, he

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was assured, were useless, and late in June Bolivar informed Girard that he was about to return home,

“leaving all business that I have in this country in the hands of Don Telesforo de Orea and I therefore hope you will have the kindness to acknowledge him as properly authorized to terminate and conclude the difficulty.”

After the departure of Bolivar nothing was heard from Don Orea until two gentlemen appeared bearing from him a letter of introduction dated Washington 26th of November, 1811.

“The affairs of my government have detained me here very much longer than I expected. For this reason I have requested our friend Mr. Torres, (who will hand you this) to present to you Sres. Don José Antonio Cabrera and Don Pedro Lopez delegates from the government of Buenos Ayres and Chili, who have been accepted as such by the government of the United States with all the friendship and respect worthy a wise and enlightened policy.

“These gentlemen have been charged by their respective governments with important affairs of the same nature as those confided to my care by my government. They (with Mr. Torres who enjoys the confidence of all) will communicate these things to you. I shall not stop to remark on the importance of these communications. I confine myself to assuring you that in taking this step we are simply following the orders from our respective governments to whom the name of Mr. Girard is not unknown despite the distance which separates Philadelphia from Buenos Ayres.” The letter was signed by Telesforo Orea, and by

Don Pedro Aguirre,
Pedro Lopez,

Don Diégo Saavedra,
José Antonio Cabrera.

After a conversation with Girard the two delegates addressed him a note.

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“Don José Antonio Cabrera and Don Pedro Lopez, delegates to the United States from the Junta Superior gubernatiba de las Provincias del Rio de la Plata being clothed with full power from the said Junta to enter into negotiations in its name with merchants, citizens of the said United States, to obtain, purchase, and send to Buenos Ayres without delay the greatest possible number of muskets of a good quality for defense of the said Provinces and that of the Kingdom (Reyno) of Chili, in accordance with the views and desires of their government and in accordance also with the conference they have had with the envoy of the Government of Venezuela, Don Telesforo Orea, and the information which they have procured from thoroughly reliable persons who know the character, sentiments and resources of Mr. Stephen Girard, have the honor to inform him that it would give the greatest satisfaction both to the said delegates and to their government if a transaction of such importance to the whole of South America could be carried out through the agency and under the management of Mr. Girard. They also have the honor to inform him that the difficulties and obstacles in the way of navigation which have existed until now, as well as the lack of information, have prevented the Junta Superior gubernatiba de las Provincias del Rio de la Plata from sending to the United States the necessary funds for the said operation. But the government has passed an act appropriating 300,000 pesos to be used exclusively to meet any engagements that the said delegates may incur in the United States in the name of their government.

“They also have the honor to inform Mr. Girard that there is an urgent need for 18 to 20,000 muskets and a million flints for the same, or as many of those two articles as can be procured, for although the delegates have been instructed to obtain a much larger number of muskets,

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pistols, swords, sabres &c, these articles might be contracted for and delivered as fast as they are manufactured.

“They also have the honor to inform Mr. Girard that, as all South America is united in a common cause and a common interest, and as safety depends on Union, the government of Buenos Ayres and that of Venezuela have resolved to act together in carrying out all their measures and to help each other to the utmost of their resources. Hence the Government of Venezuela has a one third interest in the 20,000 muskets mentioned above and will pay its share in the same way as that of Buenos Ayres, or with the proceeds of the sales of the products of its Provinces, chiefly indigo of the best quality, which the said government will send to Philadelphia without delay.

“Mr. Girard should also be informed that the said governments of Buenos Ayres and Venezuela mutually give security for one another for any contract entered into in the United States. Hence the said engagements and contracts will be signed by Don Telesforo Orea, Don José Antonio Cabrera and Don Pedro Lopez in the name of their respective governments.

“If, as it is hoped, it should suit Mr. Girard to undertake this transaction, which offers the possibility of large profits to a merchant of his knowledge and resources, it would be left to his integrity and discretion, which are well-known, to fix a compensation commensurate with the advances he will have to make and the trouble he will have in the matter. It will also be left to his knowledge and experience to suggest the most proper and suitable manner of carrying out the operation.”

The writers of this letter having come to Girard with the introduction from Don Telesforo Orea, then in Washington, it was to him that Girard wrote December 2d:

“Your esteemed favor of the 26th Ulto was handed

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me by our mutual friend Mr. Fawris the day before yesterday.

“I had the pleasure to see Mr. D. José Antonio Cabrera and Mr. D. Pedro Lopez and sincerely thank you for procuring me their personal acquaintance. These gentlemen have communicated me the object of their mission. Although several difficulties appear to be in the way of the project which they have in view yet I will endeavor to be as serviceable to them as circumstances will admit.”

That same day Girard wrote James Monroe, the Secretary of State:

“Mr. Diego Saavedra and Mr. Pedro Aguirre, envoys from the Juntas of Buenos Ayres and Chili, have applied to me to purchase and to ship on account of their respective governments Twenty Thousand muskets with their Bayonettes. Although I am disposed to be serviceable to those gentlemen, yet I do not wish to contract with them, unless I am assured that the shipment alluded to will not be considered as unlawful or disagreeable to the President &c, &c, of the United States, and that the Government will facilitate me the means of obtaining said muskets &c, either by selling or lending them to me under such terms and conditions as will be judged reasonable.”

To this Monroe made no reply, and Girard went no further.

CHAPTER VI

THE GOOD FRIENDS AT AMELIA ISLAND

THE repeated attacks on neutral commerce, the annexation of Holland and the Hanse towns, the closure of the Baltic ports and the sequestration of American property, caused much anxiety to Girard concerning the safety of his goods at Riga, Stralsund, Copenhagen and Hamburg. No choice remained, it seemed to him, but to sell them as speedily as possible for what they would bring, and early in 1811 he wrote his correspondents accordingly.

"The principal object of this letter," he told Schwartz Brothers, "is to request you in the most particular manner to close the sales of my goods under your care also to consult and to give your advice to Mr. Mahlon Hutchinson Jr. respecting the mode of directing the sale &c of the cotton which I have at Copenhagen, Riga and Stralsund so my concern on the north of your continent may be finally closed and my funds remitted to Messrs. Baring Brothers as fast as practicable."

To Mr. Hutchinson, with whose conduct of his business he was now much displeased, he wrote:

"When the Goods which I have shipped to the continent of Europe had arrived to a market which offered a neat profit from 100 to 200 pr. cent. you was very silent on the subject of my interests, but, when my property came to be in jeopardy owing to bad management you appear to be a little more communicative. Surely you have misunderstood the intention of my power of atty, otherwise you would have simply superintended my business, seen that every transaction on my account was conducted in a correct and proper manner, and in case of some serious misunderstanding between this country and some one of

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the European powers, you would have seen that your duty was to adopt every prudent step either by transferring or otherwise so as to place my property in a safe place. I shall not at present extend my just cause of complaint. My object is to inform you once more that I wish to have my business on the north of the Continent of Europe finally closed and my funds remitted to Messrs. Baring Brothers & Co of London subject to my order."

"Our political situation with the continent of Europe," he wrote the Barings, "is very alarming, and although it is probable that our government will enforce the non-intercourse law against England, yet I do not apprehend any danger from that quarter, but I am fearful that the property which I have still at Hamburg, Copenhagen, at Stralsund under sequestration and at Riga is very unsafe. Under that expectation I have pressed and continue to request Messrs. Schwartz Brothers and Mr. Mahlon Hutchinson Jun. to realize my property and to remit you my funds as fast as incashed.

"All the ships which I had in the north ports of the continent of Europe have returned to this, one with German goods and three with Russian cargoes. I intend to curtail my maritime operations until a more favorable prospects offers. Business is at present extremely dull and money very scarce owing partly to the approaching dissolution of the United States Bank which renders the officers of that institution very cautious."

In June Schwartz Brothers were urged to sell the cotton saved from the wreck of the *Liberty* and long sequestered at Hamburg. Mr. Hutchinson, Jr., had informed him

"that you only disposed of seventy-seven Bales of the *Liberty's* cotton at the miserable price of 20 Groats Banco. Although that sale does not offer a brilliant prospect yet

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being anxious to realize the property which I have on your Continent I beg that you will close the sales of my Goods as fast as practicable. Nothing will surprise me as it respects your markets. I calculate on a serious loss. I simply recommend you to be careful of my Interests to see that my funds are safe until they are remitted as before mentioned."

The funds were to be sent to Baring Brothers, who were again told what to do with them.

"By my last advices from the continent of Europe, it appears that there is still unsold a large quantity of my goods laying at Riga, Stralsund, Copenhagen, Hamburg or Holstein. Being extremely anxious to realize that property I request my agents there to close the sales and to remit you my funds as fast as practicable." When received they were to be invested, in part, in American stocks.

"Having decided to limit my maritime operations and to retain here the remainder of my funds which I will keep in activity in discounting notes and, when our commerce to Europe opens a more favorable prospect, in making advances to those who will address their shipments to my friends, please to let me know if it will be agreeable to you to receive consignments that way and generally your terms and conditions for transacting the business."

Once in the hands of the Barings, the money might have been withdrawn by selling drafts on them; but with exchange 14 per cent below par this method was not to be thought of, and they were instructed to invest part of the funds in American stocks—"as far as Fifty Thousand pounds sterling. I do not limit the price, I leave to your friendly disposition towards my interests to act agreeably to circumstances. My object is simply to realize in this country a part of my property."

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Finding this method slow in producing results, he determined towards the close of the year to invest heavily in English goods and bring them to Philadelphia. What articles were best suited to the American market he knew not. Mr. Charles N. Bancker, a gentleman familiar with such matters, was therefore chosen and sent to England to make the purchase. The ship *Good Friends*, Captain Robert Thompson master, Mr. William Adgate supercargo and Mr. Curwen passenger, was then loaded with flour for Lisbon, whence she was to proceed to London for the goods Mr. Bancker was to buy.

Mr. Bancker, under date of August 5th, was instructed to sail for London, visit the Barings, and obtain "their opinion on the probability of a free commercial intercourse being shortly open between their country and this."

"After having made yourself acquainted with the disposition of the British Government towards the United States as far as practicable, should you have sufficient reason to believe that no war between the two countries will take place before the return of the ship *Good Friends*, with goods resulting from your investment on my account, in that case you are to take every prudent step to make yourself acquainted with the state of the market" and buy goods to the amount of £50,000 sterling.

"In regard to the articles which will best answer this market, not being myself a competent judge, I leave to your talents, activity, experience and good disposition towards my interest to purchase those which by the lowness of their first cost and constant demand in this country will command the quickest sale and offer a reasonable profit." * * *

"Should it happen that at the time the ship *Good Friends* is loaded that you will have the certainty of the Non-Intercourse law being repealed, in that case that

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ship may be cleared out direct from England for this port. but if political affairs remain as they are I wish the clearance of that ship to be for Rio de Janeiro, via Philadelphia, so as to enable me to enter said goods for exportation." * * *

"If the non-Intercourse law should be in force at the time the *Good Friends* comes on our coast, I will take care to distribute among our cruising Pilot Boats, several letters with the promise of a reward to the one who will deliver the first to Capt. Thompson. The object of these letters will be to direct said Capt. Thompson to come up with his ship, or to proceed to some other port which I will point out to him." Mr. Bancker was to return on the *Good Friends*.

In October, 1811, Girard changed the port of discharge.

"Under the present state of affairs I judge it necessary to have the ship *Good Friends* cleared out of London for Amelia Island instead of Rio de Janeiro, so in case that ship should not be permitted to enter this port she may be able to proceed to said Amelia Island without any difficulty. At same time it is to be understood that Capt. Thompson will in the first instance come near enough to Cape May or Cape Henlopen, so to meet some of the Pilot Boats which will deliver him a letter from me instructing him to enter this Port or to proceed to his destination according to circumstances."

From Lisbon Mr. Curwen was to proceed to London and then to the continent charged with the duty of hastening the sale of his property in Stralsund, Copenhagen, Hamburg and Riga.

August 2d the *Good Friends* set sail and after a voyage of twenty-eight days reached the Rock of Lisbon and the next day anchored off the city. There the flour, 2749 barrels and 126 half barrels, was sold for 15¼ dollars,

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netting "a freight of four dollars a barrel," and September 29th, under convoy, the *Good Friends* sailed for London. Her return cargo of dry goods was valued at £65,000 sterling. As she could not return to the United States, because of the non-intercourse act, she was cleared for Amelia Island. December 25th, 1811, she sailed and about that time Girard wrote a letter to her captain, gave a copy to each of six pilots of Delaware Bay, and offered a reward of \$50 to the one who should be the first to deliver his copy to the captain. The letter reads:

"Hoping that you will shortly be on our coast I haste to communicate to you my intention respecting the future destination of your ship and cargo.

"The British Orders in Council not being recalled, the Non-intercourse Law remains in force." (Madison had so proclaimed on November 2d.) "Wishing to avoid the difficulties &c, which will naturally result if, under the present circumstances, your ship should enter a port in the U. S., I request that at the receipt of this letter you will immediately proceed to Amelia Island, a Spanish port situated in that part of East Florida Coast belonging to Spain. At your arrival there you will, in the first instance, moor or secure your ship in the safest manner, and then wait for further instructions from me or your supercargo Mr. William Adgate. Should you be under the necessity to enter your ship and cargo at the Custom House &c of that Place, I desire you to report the destination of both ship and cargo for Philadelphia after the present non-intercourse act is recalled, or for a permitted port in the West Indies, agreeable to orders which you will receive from your owner on that subject."

Enclosed was a letter to Mr. Adgate.

"My principal object in ordering the ship *Good Friends* to Amelia Island is to put that ship & cargo in a Place of

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safety and out of the reach of the Non-Importation Act. Several citizens have applied to Congress to obtain permission to import into this country English manufactures to the amount of the sums due them by British subjects. I was solicited to augment the number of applicants but have refused. Should any modification be made in the Law so as to authorize those who have funds in England to import goods for the amount of what may justly appear due them I will profit of that circumstance and order the *Good Friends* round to this Port. * * *

“Should the Non-Intercourse Law be continued without any modification as before mentioned I will apply for the admittance of the cargo of the ship *Good Friends*, and, if rejected, I will devise some means for its expedition to a permitted port.”

Knowing nothing about commercial affairs at Amelia Island, Girard now applied to his friend, Mr. Samuel Coates, for the name of some house in Savannah which could take care of the ship and cargo, on their arrival. Mr. Coates gave a letter of introduction to Robert & John Bolton, to whom Girard applied.

“Having had for this some time past a pretty considerable sum in England which, owing to the lowness of exchange was locked up in the hands of Messrs. Baring Brothers & Co., of London, and there was daily increasing by remittance made them on my account by my agents on the continent of Europe, I resolved to draw my funds from that Country and requested the London house to remit me United States Bank shares and American stocks, but finding their investment on my account did not meet that success I expected, in July and August last I dispatched two confidential agents to Europe for the purpose of drawing the funds which I have in those countries, one of whom is Mr. Charles W. Banker of this city who being

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a competent judge of Dry goods was charged to select and purchase and ship on my account on board my ship *Good Friends* British manufactures suitable for this and the Spanish market, to the amount of Sixty Thousand pounds sterling with instructions that in case the Orders in Council should not be recalled before that ship leaves England to dispatch said ship and cargo to Amelia Island with directions to Captain Thompson to proceed thereto or to come near enough to our Capes to receive the letters which I will place under the care of confidential pilots. Uncertain as I am if the ship *Good Friends* will go direct to East Florida or come off our Capes, I here enclose a package addressed to Captain Thompson which cover a letter for Mr. William Adgate and one for Mr. Banker. Be so obliging as to forward the same per first conveyance to one of your friends at or near Amelia Island with direction to deliver it at first appearance of that ship."

R. & J. Bolton turned the business over to Richard Richardson & Co., who, in the name of their friends, Hibberson & Yonge of Amelia Island, promised to care for the *Good Friends*.

"There are," wrote the Savannah house, "no fit stores at Amelia Island to receive such a cargo, or in fact any kind or quantity of valuable goods; and unless stores should be erected purposely, which could only be slight and capable of resisting rain, we would recommend that the ship *Good Friends* should lay in Amelia Harbor (a very safe one) as a store ship, or, if the length of time she may be required to lay there would be so long as to expose her to injury from worms, that she should proceed high enough up either the St. Mary's or Bills river to be completely out of their reach & where also the Property would be obviously more secure on other accounts.

"We gave to Captain Thompson the leading features

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of the mode by which Duties may be avoided at Amelia Island even if he should be compelled to come to entry, but referred him to our friends before making any entrance or having anything to do with the officers of the Government. *A Douceur* is a very acceptable thing to them & saves much trouble, but must be tendered with caution. From want of a System in the commercial regulations of that colony we doubt if an entry for duties will be gotten over altogether, but by proper management we have no doubt that they may be paid on *Salt* or *Coal* & other articles of small value so as to make them on the aggregate a mere trifle."

The *Good Friends* went direct to Amelia Island, arrived there February 11th, 1812, and was visited by a messenger with a letter from Messrs. Richard Richardson of Savannah advising Mr. Adgate

"to come further than the point of the Island on account of Duties (which are excessive).

"We put the ship about; but before we got off we were boarded by a Custom House officer. I was compelled to tell him we were not bound here but came in on account of the weather. They demanded the papers which as advised I did not give up. They left the ship with evident signs of displeasure, all owing to not getting the letters in time. I live in hopes yet to make smooth water with them. We shall anchor at the point of the Island on the Spanish & U. S. line untill I have arranged with them. * *

"We are allowed to lay 8 days before coming to an entry. in the mean time we must endeavor to make some arrangement. we are now anchored in the Spanish waters, but near the United States line. St. Mary's is 9 miles from this by water. the mail arrives once a week from the northward and letters come regularly every day to Amelia as boats are permitted freely to go to and fro with passengers only. * * *

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"To store the cargo at Amelia appears to me as not at all advisable even could it be done without much expense, as I should not think it safe as the stores are only temporary shells of wood. indeed I do not see one, two, or three large enough to hold the cargo.

"This appears to be one of the most miserable Spots on the globe (Norway excepted) and inhabited by people assimilated to the country. * * It has grown out of the Embargo and non-intercourse laws and will sink again into nothing after a revival of commerce. It may possibly continue a harbor for smugglers. St. Mary's does not appear to me to be much before this. There is at present considerable timber trade as there is an English Agent there who has made large contracts on account of the British Government."

February 21, 1812, writing from "Fernandina (alias) Amelia Island," Mr. Adgate continued:

"The commandant of this place is an *accommodating* man and will not trouble us, but will do all in his power to make us easy; there is however another officer (called Vista) between whom and the commandant there is considerable jealousy on account of the loaves & fishes. This person is suspected of having written to the Governor at St. Augustine that we had arrived here from London and had begun to discharge the cargo, which is a most infamous falsehood. The Commandant came on board with the Vista and examined, and I insisted on Capt. Thompson being put on oath that no part of the cargo had been taken from on board the ship and at the same time explained that a passenger (Mr. Bancker) who came in the ship had taken his clothing on board a pilot boat and had proceeded to Charleston. I do not apprehend any danger of coercion as the whole force on the Island would not be sufficient to take the old ship. Nevertheless I think it necessary that we should be under the safe guard of some government."

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Richardson & Co. of Savannah explained the trouble at Amelia Island more fully.

“The ship was lying at Amelia Point out of the view of the town in safe harbor & in Spanish waters and might have remained there without interruption but for the information lodged at St. Augustine by some malicious person that she was discharging a part of her cargo. A visit from the Vista, or Commandant, at Amelia was the consequence and an entry required in 8 days from the time of her arrival. There is no such thing as a regular administration of laws there. 'Tis the cupidity of the officer commanding which governs. The mysterious manner of her entering this harbor before the town, & immediate departure, which M. Adgate no doubt informed you of, has excited much suspicion in the place & disposed the commandant to listen seriously to the information lodged of her discharging goods; but an explanation was had with him the day Mr. R. left the place and a good understanding followed. Unless he, by some means, gets knowledge of the value of her cargo & is induced by it to become too rapacious in his demand for fees she will not probably be required to come to entry; & if she is a very few only of the cockets will be exhibited & others to fill up the cargo will be made at Amelia of articles of little value. The tariff of duties is in the first place enormous considered as mere transit duties, say $16\frac{1}{2}$ pr ct on imports & $6\frac{1}{2}$ on exports, and the demand for them in this case being unjust it would be no violation of conscience to evade them. The sum which we have considered ought not to exceed in fees & duties (if the latter are paid) collectively, & which we thought it best to pay rather than to go to St. Augustine for redress, which would be very tedious & uncertain & may detain the ship should she be ordered off by you while the case was pending was, \$1000 to \$1500; but we

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have no doubt that \$50 to \$100 given to the commandant from time to time as he might become clamorous would effect every object & that the aggregate sum paid so would not exceed \$500 provided the ship does not remain a great length of time."

About the first of March letters from Amelia Island began to arrive in Philadelphia. Since the first of the year Girard had believed assurances sent from Washington "that a partial repeal of the non-importation act will take place so as to authorize our citizens to draw their funds from England." When, however, March came, and no such permission had been granted and the *Good Friends* seemed likely to wait a long time at Amelia he wrote Mr. Adgate:

"No change has yet taken place on the subject of the non-importation law. Politicians on both sides are of the opinion that a modification will shortly take place. For my part I begin to despair to see any favourable turn unless the Orders in Council are recalled. But as I conceive that it is my duty to use every means in my power to secure my property, I have made a narrative of my concerns and transactions with the north of the continent of Europe and with England ever since 1808, and with the assistance of Mr. J. Ingersoll and Mr. A. Dallas I intend to apply to Congress and to the administration of the United States for permission to order the ship *Good Friends* round to this port."

A "memorial with an explanatory statement" was accordingly drawn up, and copies sent to Michael Leib to be laid before the Senate and to Adam Seybert to be presented to the House.

The explanatory remarks contained a statement of the amount of the funds in the hands of the Barings. On the 31st of December, 1808, his balance was £33,681,17s.

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sterling. Remittances during 1809 amounted to £131,003,5s.6d sterling; but drafts on the Barings left his balance on December 31, 1809, £102,642,6s.1d. A year later it stood at £116,701,12s.6d. During 1811 remittances from consignees in Europe were £77,794,1s.4d. Purchases of United States stock, United States Bank stock, and the cargo of the *Good Friends* amounted to £153,856,9s.7d. and left with the Barings £40,639,4s.2d. on the 1st of January, 1812. The value of the cargo of the *Good Friends* was given as £66,943,19s.1d. sterling.

Mr. Adgate now wrote that a rumor was current that the United States was about to take possession of East Florida, and that by the first of April "the U. S. flag will be flying on Amelia."

Girard replied:

"The rumor which you had at St. Mary's that the United States intended to take possession of East Florida is supported by several flying reports which we have supposed to be from Washington. Should such event take place no doubt the ship *Good Friends* will be visited & perhaps seized by some officers &c appointed for that purpose. In either of these cases I recommend you to represent the nature of the voyage of that ship from the moment of her departure from this port until her arrival at Amelia Island with the greatest candor.

"I cannot yet learn what Congress intends to do with the several applications for the importation of British Manufactures.

"If the United States takes possession of East Florida it is probable that they will establish a Custom House at Amelia Island." In that event the *Good Friends* was to be cleared for Philadelphia, "provided you will have the assurance that the cargo will be admitted to a General

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Entry, as if the importation of the several articles composing the same were permitted."

Writing March 20th, 1812, he said:

"I wrote you pr mail under date of the 14th inst from St. Marys stating as rumor that the United States were about to take possession of East Florida. Events have proved the rumor true, and the flag of the United States is now flying in Amelia, the Garrison and town having capitulated to people styling themselves patriots, and by them has been deliver over to the United States troops who appear to be under the direction of General Matthews. The Patriots it is said have gone on to take possession of St. Augustine. I cannot learn in what situation we are considered with regard to our own government. I have been much puzelled & perplexed with this mysterious business and am as much in the dark as ever. I have waited on General Matthews to know if I might consider myself in the waters of the United States. He said I might and would be protected. At same time he requested me to state my situation in writing and he would forward the letter with his own remarks to Mr. Gallatin. Accordingly I wrote him in substance as follows. That we arrived here in February last from London with a cargo of British manufactured goods, being your sole property purchased with your funds which had lain in that country for a long time, that our object in coming here was to wait till we could legally be admitted into the United States, and in pursuance of that object we were lying in their waters, under the protection of the Spanish government at the time those events took place which have placed me under the flag of my own government; that the late occurrences might alter our relations with foreign governments so as to render American property unsafe which might be near the seat of war and as he informed me I was in the United States my desire was

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that I might proceed to some other port in the United States or to Philadelphia our ultimate destination.

"I hear that General Matthews was authorized under some secret act of Congress to aid the people of the province in revolutionizing the Government and for which purpose the gun boats anchored under his command and were brot opposite the town when it surrendered to the Patriots. I cannot learn that the articles of Capitulation operate to the relief of us. Only those goods which were landed are admissable into the United States. * * * *

"There are some circumstances attending the Capture of Amelia which have created doubts with me. An officer (Major Laval) commanding one part of the U. S. troops refused to act, alledging that General Matthews was not authorized to call him out & should our Government not sanction General Matthews conduct, and the troops be withdrawn, or the English commander on the American Station feel himself bound to defend the Spaniards. I apprehend this may be the beginning of trouble."

"This will inform you," wrote the Captain, "that at Present we are in the American waters & under the Protection of our own Government as our flag is flying here & the Place garrisoned by United States troops with the Gun Boats round us. The first we heard of this change was on Sunday last when it was understood that there was a Revolution in the Province & that they had hoisted a white flag with a man in it with some Writing on it the Substance of which was the voice of the People the Law of the Land.

"On Monday we could see it from this place. At the same time Seven gun boats came down & lay off the Point of the Island, on tuesday five gun boats went a Brest of the town & got Springs on their Cables, about 2 o'clock we could See Seven Gun boats a coming with troops. There

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had been several flags of truce Past between the two partys & Likewise boats on board the Gun boats requesting them to take the Place or to protect them but we understood all the answer was they could not take the Place but that all Private Property should be safe. They immediately sent another flag to the other party with Proposals of Capitulation which was excepted & emeditly the Spanish flag came Down & a hour after two boats with troops came & took posestion. Then the white flag with the man on it was hoisted but we soon understood it was to be delivered up to the Americans, which was accordingly Done the Next Day about 2 o'clock when fifty of the United States troops came over. When after some forms where gone through the white flag came Down & the Americam flag hoisted, how far the government will sanction this business God knows as it seems to be Done underhanded. General Matthews is at the head of it & it seems he was sent here by our government about 15 months ago on Secret service."

Another letter from Mr. Adgate gave his story of the comedy at Amelia.

"On the 13th instant I went up to St. Marys in order to wait for the mail and write you in answer if required which could not be done by remaining at Amelia. I was told that the flag of the United States would be flying in Amelia before the first of April. as such things were often told by way of joke and people of better means of information doubted, I did not think much of it, until Sunday the 15th when I saw a flag flying on the Spanish side and could discover that it was neither the Spanish flag nor the flag of the United States, and was told that a number of people had collected together with a determination to change the government. I learnt likewise that General Matthews who has been here for 18 months

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past was empowered by a secret act of Congress to call in the aid of the United States forces to assist the people of the Province in effecting this object. I discovered that very many of the inhabitants of Georgia were engaged. I immediately left St. Marys and went on the ship at Amelia determined to stand neutral, and if circumstances should require it, either to go to sea or demand protection from the gun boats.

"I found our government gun boats collected to the number of Eight not far from where we lay; but still in the United States waters. I felt extremely anxious to know what was intended, and on Monday the 17th when they had anchored in the Spanish waters, we went on board the Commodore to know if American Vessels and property would be protected, that from the movements I was somewhat alarmed as I did not know what was intended by the movements; that our Vessel and cargo were American, that we were then in the Spanish waters, under the safe guard and hospitality of the Spanish Government. he said that nothing hostile was intended, that English Vessels as well as those of every flag would be protected as well as American. I desired to know if our government directed the act, he replied if they did he should not suppose those people meaning the Patriots would be employed. Having his assurance of protection we left him and immediately after the gun boats got under way and came abreast of the town. I understood that the inhabitants of Amelia wished to strike the flag to the gun boats but Comm. Campbell was not authorized to receive the submission. after a number of flags of truce passing between the inhabitants of Amelia and the Patriots, and a number of deputations to Com. Campbell, and General Matthews, from Amelia on Tuesday, it was said the Patriots would take the town by force; they

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having appeared in sight a flag of truce went off to them. the Spanish flag was then hauled down, and soon after the Patriots landed and hoisted their flag which was a white Flag representing a man with a charged Bayonet. motto *Salus Populi—Lex Suprema*. The flag remained 24 hours. General Matthews came over with fifty soldiers from Georgia when the Patriot flag was taken down and the United States flag hoisted instead. finding the property under the United States flag and that the United States forces were under the direction of General Matthews, I waited on him and stated our situation, that we had not violated any law, that we were laying in the Spanish waters under the protection of the Spanish authorities, but now finding myself under the flag of the United States I wished to know if I might consider myself in the United States. He said I might consider myself in the United States, that he would protect the vessel and property, I enquired whether we might proceed to some other port in the United States as I did not feel altogether secure here as this might become in a short time the seat of war. He requested us to state our situation in writing and he would forward it to Mr. Gallatin with his own remarks and that an answer might be expected in 34 days. We shall I hope get away sooner. The Patriots have gone against St. Augustine, and if they are not sufficient the United (States?) forces are to act with them and at all hazards to take the place. Things have gone so far that I don't see how our government can draw back. What has perplexed me most and caused me to doubt is this; Major (Laval) commanding the Corps of Riflemen stationed near Amelia refused to act when called upon by General Matthews and many said that General Matthews had exceeded the powers given to him. I am afraid to go and fearful to stay too long as I cannot but consider this the prologue of war. * * * *

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28th. Since writing the foregoing letter to you I have been informed that letters and dispatches have been sent to New Providence & Havanna with account of the occurrences here and feel so fully convinced that our situation is not safe that I have determined to proceed to Philadelphia with the ship and cargo as I am sure our government must under present circumstances protect your property.

“I forward you a copy of the capitulation between the Patriots and the Commandant as well as my letter to General Matthews, who declares that he is perfectly convinced that the property is not safe here and will give us his sanction to proceed to Philadelphia and at same time he will write to Secy of State urging the necessity of this proceeding. I have given him my own security that we will not violate any of the revenue Laws of the United States. Should we not receive any Instructions from you to the contrary we shall proceed to sea first fair wind as I think the longer we stay the more danger. The other vessels, say the *United States* & the *Amazon* are pursuing same steps.”

When the *Good Friends* reached Amelia Island in February her captain found two American vessels, the *United States* and the *Amazon*, both from Liverpool, riding at anchor and waiting for Congress to repeal or modify the non-importation law. The Captains and supercargoes of these two vessels now joined with Captain Thompson and Mr. Adgate in an appeal to General Matthews, then at Fernandina.

“Sir,

“We the undersigned masters & supercargoes of American vessels and their cargoes now in the port of Fernandina—

“Being under great apprehensions for the safety of

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the vessels and property under our charge are induced thus to offer you a brief statement of our cases.

“The ship *United States* belonging to Messrs. Reagan & Rodes of Philadelphia, merchants and citizens of the United States, James Gordon master, & George Reagan agent, arrived at Amelia 25th December from Liverpool with a cargo consisting of crates earthenware & blankets, the sole property of Reagan & Rodes aforesaid amounting as pr statement herewith. The ship *Amazon* belonging to Mr. Jonathan Ogden a citizen of the United States and resident in New York, George R. Turner master & agent for the consignees & owner, arrived at Amelia 22^d December from Liverpool with a cargo of dry goods assorted belonging to citizens of the United States residing in Philadelphia, New York & Baltimore, Supposed amount of cargo as per statement herewith. Ship *Good Friends* belonging to Mr. Stephen Girard a citizen of the United States and resident merchant in Philadelphia, Robert Thompson master and William Adgate supercargo arrived at Amelia 10th February last, from London with a cargo of Dry goods assorted, the sole property of Mr. Stephen Girard, aforesaid, amount as pr statement herewith.

“The undersigned beg leave to state that by reason of the non-importation law they could not enter the waters of the United States in consequence of which they came here to wait until they could be legally admitted. Having remained here from the dates above mentioned under the protection of the Spanish authorities and flag with all our cargoes on board as will appear by the bills of lading and other documents, and that they were thus riding at anchor in these waters on the 17th instant when the town & garrison capitulated and the flag was changed, and also on the 18th instant the flag of the United States was hoisted as we understand by reason of an act of cession to the

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United States through you as United States commissioner, that we are now placed under the protection of the flag of our own government, yet we are fearful that in the event of hostilities being commenced and this being the seat of war the property may not be safe in its present situation.

“Not wishing to violate any law and believing you authorized we are induced for the safety of the property in question to request permission from you to proceed to the port of Philadelphia. We bind ourselves separately not to break bulk or discharge any part of our cargoes, but that the same shall be and remain in charge of the Collector of the port to which the ships are destined until the disposition of the government be known.

“We request from you such certificate of guarantee as shall secure the property from any penalty or forfeiture which under other circumstances might arise out of the existing laws of the United States.”

General Matthews replied:

“I have received your statement and do not hesitate as to the justice and reason of your request; but wish for your own interest as well as for public satisfaction that the mode may be varied which may be done without militating against the essential part of your petition.

“In your address to me I should prefer to the present form your briefly stating the names of the ships, owners, amount of cargo, the ports last from, and that they were riding at anchor in these waters under the protection of the Spanish flag when, on the 17th instant, the flag was changed by articles of capitulation with the late Patriots of the district and their flag hoisted; that in the aforesaid articles protection is afforded to shipping and merchants of every description and that by the adhesion of the Patriots of this District on the 18th inst. to the United States, through me as United States Commissioner, I have in my official

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capacity guaranteed the observance of the capitulation; that unless my interference is afforded, in the way and manner you point out, you expect the consequences you appear to, & I have no doubt really dread, for I fully concur in opinion with you that the large amount of property here would be an additional excitement to the Belligerents to visit this place and am desirous to remove any source which in its consequence might lead to hostilities. I shall however require that a schedule of the property removed by you be given and that you enter into Bonds and Security to the President of the United States that your ships and cargoes shall be under the direction and contrall of the collectors of the ports to which your ships may be destined until further orders from the Secty of T or the Gov^t of the U. S."

This seems to have been satisfactory and on the 31st of March General Matthews delivered to Mr. Adgate a letter addressed to the Collector of the Port at Philadelphia.

"A revolution has lately been effected in East Florida and the late Province, with the exception of the Town & Citidel of St. Augustine, ceded to the United States by the constituted local authorities through me, as United States Commissioner. previous to the cession the ship *Good Friends* owned by Stephen Girard Mercht at Philadelphia of which Robert Thompson is Master, from London, was riding at anchor in the Spanish waters of Amelia River laden as pr Manifest inclosed will appear; when on the 16th instant the Patriots summoned the Town of Fernandina to surrender. it capitulated on the 17th instant and on the 18th the Patriots ceded an extensive District including the Town, waters, and Island, to the United States, through me as United States Commissioner. in that capacity by virtue of powers vested in me I took possession with a detachment of United States

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troops to hold and defend the same for the United States, stipulating on my acceptance of the cession to observe inviolate the Articles of Capitulation which afford protection to property of every description, a copy of which has been duly transmitted to the Secretary of the Treasury of the United States; and at the same time I forward with others a statement of the leading circumstances to this ship and cargo, having full conviction that neither the ship or cargo will be subject to the penalties of the non-importation and non-intercourse laws, in consequence of her entering a Port or Ports of the United States. I have for the following reasons and circumstances thought proper to grant permission for her to proceed to the Port of Philadelphia—I consider her now to be under the protection of the flag of the United States and within the waters of a port of an Integral part of our common country. I have taken bonds & security for the amount of Forty-six thousand six hundred and twenty dollars that the vessel and the whole of the cargo shall be delivered in charge to the Collector of the Port of Philadelphia until the determination of the government of the United States be known as relates to her case; and that the ship and cargo shall be subject to the direction of the Collector. Besides the justice of the measure I have adopted in *ordering* her a clearance I think good policy dictates the propriety of the measure at this crisis, for she with others under exactly and some under nearly similar circumstances, would probably, if they remained here, invite the attack of piratical marauders, and perhaps the belligerents, the sooner to make the place the theatre of hostility.”

This letter was forwarded to Girard and April 10th the *Good Friends* sailed for Philadelphia.

April 6 the letter of Mr. Adgate dated March 20th and 21st was received announcing the capture of Fernandina

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by the Patriots and its delivery to General Matthews. Girard at once sent copies to Mr. Gallatin and to Monroe with a request to give "attention to the object of my memorial."

April 20th Mr. Adgate entered his counting house and reported that the vessel, while coming up the Delaware, had been seized by the Collector of Customs at Wilmington. To Mr. Allen McLane, the Collector, Girard at once wrote:

"Mr. Wm Adgate supercargo of my ship *Good Friends* from Amelia Island informs me that while that ship was proceeding to this city agreeable to the coastway clearance which she had on board, that she was seized by an officer of your custom and brought to New Castle. In addition to the several circumstances attached to the causes which have brought that ship into the River Delaware, I have long ago informed Congress, the Secretary of State, and the Secretary of the Treasury, of the arrival of that ship at her last port of departure, also of the articles composing her cargo and the amount thereof. Consequently there could be no intention on my part to evade the laws of our country."

Having seized the *Good Friends*, and the *Amazon* and *United States*, which came in after the *Good Friends*, the Collector sent to Washington the clearance given by Matthews, his letters to Gallatin and to the Collector at Philadelphia, and waited for instructions. Towards the close of April they came.

"This afternoon," wrote Mr. Adgate, "McLean came over from Wilmington in great haste, as I understand from Captain Jeffries, after receiving his letters from Washington. he told the people here that the ships would be libelled, and I have no doubt that tomorrow he will order them in to the piers. What information he may

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have received from Washington I cannot say: but understand that he has declared if the government gave them up he would hold on upon them.

"I don't know what representations he may have made to the Secretary of the Treasury or what instructions he may have received, or if the Government may be disposed to act with justice or liberality. From the character I hear of McLean he is a man who looks to his own views and interests more than to the interests of the Government. At the same time he is said to be a vigilant man. Capt Jefferies says he delights in doing injury, and if it is in his power he will give us trouble."

The ships were accordingly ordered in from anchorage in the river to the pier.

In this state of affairs Girard went to New Castle and Wilmington, retained Mr. Caesar A. Rodney to defend him, and remained until the trial came on in the United States District Court. Mr. Rodney having been retained, Mr. Ingersoll wrote him on May 2d:

"I am happy that Mr. Girard has employed you as his counsel in the extraordinary prosecution carrying on at New Castle against the ship *Good Friends* and cargo.

"It would be cruel indeed if a citizen of the United States, who never violated the revenue laws in his life and has paid immense sums in duties should be subjected to heavy forfeitures for conforming to the instructions of a general officer then in full confidence of Government at Amelia Island.

"At present however the only object is to release the ship and cargo out of the custody by entering into stipulation with security. You will be pleased in filing the claim to have an early day appointed for hearing of the cause."

What happened when the trial came on is told by

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Girard in an undirected letter intended probably for the Collector at Philadelphia.

"I am just from Wilmington where after five days arguments the judge of the district court has ordered the Marshall to deliver me the ship *Good Friends* &c, &c, and her cargo and has also ordered that the duty on said cargo shall be paid or secured.

"I intend to set off at three o'clock this afternoon for Wilmington there to comply with my part of that judge's order and after being furnished with a receipt or certificate proving said payment &c, &c, to obtain possession from the Marshall and to proceed to this port with the same papers and documents or legal copies thereof which that ship had on board when seized by the Collector of Delaware, also with the proceedings of said district court. I do not intend to land the cargo or any part thereof in the State of Delaware, nor to take a coasting clearance if it can be avoided, therefore beg that you will inform me if the clearance alluded to or other documents will be necessary."

The Court having made its decision in the cases of the three vessels, Collector McLane applied to the Comptroller of the Treasury and asked if the goods must be landed.

Could he, consistently with his duty as Collector, accept a bond and give a certificate that the duties had been secured, or "secure the duties so as to be paid in" the Delaware District, or clear out the vessel for another district without having put on shore?

When the reply came from Washington Mr. McLane was told by Richard Rush that "before the duties on the goods can be legally ascertained they must be actually landed." The cargo was unloaded and after much delay and trouble the *Good Friends* was cleared from Wilmington late in May.

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The end, however, was not yet. The Treasury Department now demanded not only the duties but the penalties.

“Mr. Read has received a most extraordinary letter on the subject of the vessels & their cargoes from Amelia,” wrote Mr. Rodney. “It breathes great hostility to them, but the writer does not appear to be acquainted with his subject. I understand suits have been ordered to be instituted to recover the pecuniary penalties in Pennsylvania. You will know how to appreciate these violent proceedings.”

May 27th, 1812, Mr. Rodney wrote again.

“Your favor of the 25th instant (not found among Girard’s papers) was delivered to me by Mr. Adgate. I have little doubt of the ‘sinister views’ to which you allude. In the *National Intelligencer* of yesterday you will find ample proof of them, in a semi-official paragraph on the subject of your vessel and cargo.

“I think it would be proper to send a confidential agent to Amelia to ascertain what testimony can be procured at that place, & who will be fit characters to select as commissioners. We must examine General Matthews himself and we must have a commission to Washington to endeavor to obtain the testimony of the President, the Secretary of State, &c, & to get an authoritative copy of the law of last session relative to East Florida, & of the correspondence between Mr. Foster & Mr. Monroe on the subject &c. A commission to Philad^a will also be requisite to take the examination of the captains, mates, supercargoes &c, as to the transactions at Amelia to which they were eye witnesses. Particularly as to the naval and military forces of the U. States acting under the orders of Matthews. In this business the other claimants may act with you.”

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The article in the *National Intelligencer*, a Washington newspaper, was as follows:

“FEDERAL MISREPRESENTATIONS. There is no end of them and it would be a tedious and thankless task to crush them one by one. But there is one, which those who know the facts ought long ago to have contradicted, that we ought to notice, because it must be on the part of those who first circulated it the offspring of wilful and premeditated deceit. It is said that Mr. Stephen Girard has been permitted freely to enter certain British goods in the face of the non-importation law, whilst others, *native* citizens as they are called (a description of citizens by the way, neither recognized as such by the law or constitution) have been denied a like privilege. The facts we believe are these. The vessel of Mr. Girard entering contrary to law was forthwith libelled by the proper authority. Under a right exercised by our courts of Admiralty, the vessel has been released by the District judge in opposition to the wishes of the Treasury Department, on the defendant giving bonds, to abide the judgment of the Court, if a similar course has been pursued by other judges in relation to other vessels similarly situated. In the case of Mr. Girard, we believe, instructions have been given to prosecute with the utmost rigour of the law this violation of the statute. In relation to the right thus asserted and exercised by the judicial authority of the country we can only say that its tendency is (if not to subvert the law) to defeat its obvious intention which is the essence of every law by admitting into our ports and throwing into the market goods, the importation of which the law especially prohibits. And though the violator may be mulcted in a penalty four fold the value of the importation and the violation thus punished, yet by this infraction of the essence of the law, sanctioned

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by judicial authority, all the evil which it could produce has already been done to the community and cannot be remedied by even a four fold penalty."

The suits were started and June 11th Mr. Ingersoll wrote:

"I have just now signed an agreement for two suits to be entered against you, one for \$15,000 the other for \$895,446 49/100. The sums are so immensely large, that though I am confident you have both law and the plainest justice in your favor I shall feel great anxiety at every step in the progress of the Business."

Girard was astonished and at once replied: "On my return from my farm I have received your note of this date and am extremely sorry to observe that you have signed an agreement for a pretended penalty which does not come under the jurisdiction of the court of this district. As the sum is enormous and is merely intended to hurt my credit, I wish to have two more gentlemen of the law engaged in that business."

The trial came on late in November, lasted a week and more and, December 6th, Mr. Rodney wrote:

"The Court adjourned yesterday, about one o'clock, until the Court in course which sits on the fourth tuesday in February next, when the judge will deliver his opinion in the case of the *Good Friends*. I feel little apprehension as to the result. I think it improbable that a Court of Justice can sanction by its decision such an atrocious attempt on the part of government to rob and plunder an individual citizen whose whole life has been that of an honest, regular & fair trader."

After several delays the Judge handed down his decision in March, whereupon on the 15th Mr. Rodney wrote:

"I am sorry to inform you that the Judge has decreed

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against us. A copy of his opinion will be sent to you tomorrow. It is very long & I think very erroneous on all points. I did not expect such a decision & it has excited equal surprise & mortification.

"P. S. We have desired time to consider it, for the purpose of deciding as to the propriety of arguing the case of the cargo." The costs, paid to the Clerk of the Court, amounted to \$391.42.

After due consideration Mr. Rodney decided it was useless to argue the case of the cargo.

"The opinion of Judge Fisher has been forwarded to you, from which you will discover that there is no prospect of success in the District Court as to the cargo, the trial of which they will press on, if the Court continue to sit. We must appeal & we shall have to give security for costs. It is impossible that the Supreme Court of the U. States can sanction a decision which enables a Government to plunder its citizens. My own opinion is that it would be useless to go thro an argument in the case of the cargo, before the District Court." Nevertheless, March 19 Mr. Rodney wrote:

"We entered an appeal in the case of the ship *Good Friends* & postponed the trial of the cargo. I think with you it would be an useless expense to argue it, tho' I would not consent to its condemnation without argument." And so for the time being the matter rested.

CHAPTER VII

CARGOES AND MONEY ABROAD

GIRARD had now become a large investor in real estate. Year after year, as his wealth increased farm was added to farm in Passyunk, land was acquired in Moyamensing, houses and lots were purchased in the city until by the close of 1812 he had expended \$367,000. For one hundred and forty three acres in Passyunk he paid \$49,222; forty acres in Moyamensing cost \$4,000; houses on Spruce Street, \$20,200; on Second Street, \$20,000; on Front Street, \$57,000. His banking house on Third Street cost \$115,000; for the square between Market and Chestnut, Eleventh and Twelfth Streets, bought in 1807, he paid \$101,820.

It is possible that he had now decided to use this tract from Market to Chestnut, 11th and 12th Streets as the site of some public institution. There is, indeed, no positive evidence, but it is certain that he was much concerned as to what would become of his real estate should Mrs. Girard outlive him. His wife was hopelessly insane; yet, under the laws of the Commonwealth entitled to all her rights of dower. He made up his mind, therefore, to apply to the Legislature for an act divorcing him, or at least enabling him to dispose of his real estate free of any claims for dower by Mrs. Girard. In return he proposed to place \$20,000 in the hands of trustees who should use the income, \$1200 per year, for the maintenance of his wife in as much comfort as possible in Pennsylvania Hospital.

Mr. Ingersoll drew the petition, Mr. Worrell presented it to the Senate in February, 1812, and a committee re-

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ported a bill; but opposition arose because no provision was made for the distribution of the trust funds among the heirs of Mrs. Girard after her death; no final action was taken; and the petition was renewed when the Legislature met in 1813. Again a bill was reported, again it was opposed on the old grounds, and as Girard would not yield, the committee of the whole, says the Journal, "rose and reported the bill with the only section negatived." The Senate adopted the report, the bill was lost, and in March Mr. Gemmil asked and obtained leave to "withdraw from the files of the present session the petition of Stephen Girard."

Commercial affairs "wore a gloomy aspect." At home our country was rapidly approaching a war with Great Britain. From abroad his agents during the autumn of 1811 and the spring of 1812 sent no encouraging news. In August, 1811, Mr. Hutchinson, then at Stralsund, reported:

"The property sequestered at this place since June last year, was all disposed of on the 14th instant by the regency, conformably to orders received from the Swedish Crown: the advertisement of the sale appeared on the 2^d instant (August) and propositions of purchasers received to the day of sale, when one person was decided to be the buyer of the whole for the sum of 151,500 dollars Pomeranian currency. The merchants have protested against the proceeding, and the owners must now lay their claims against the Swedish government by which there has been no declaration of confiscation. What each particular parcel of merchandise was sold for cannot be ascertained. The aforementioned sum was received for the whole. Your claim is in the hands of Mr. John Speyer, commercial agent for the United States at Stockholm. He has had it

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for many months and has written that he had done the necessary to secure the same. No distinction has been made with regard to the proprietors of the sequestered property. All shared the same fate, even that which belonged *bona fide* to Swedish subjects. The money arising from the sale will probably remain in the hands of the regency for some time, and I shall request Mr. Speyer to use his utmost exertions to obtain for you the amount proportion accruing for your cotton, to be paid into the hands of the consignee. These steps of the Swedish government at the moment when the Americans stand more favorably with France than for a long time past have much disappointed me. A report was in circulation, a few days previous to the sale of the sequestered property being announced, that the Emperor of France, who had kept it as it were under his thumb, had resigned it to the disposition of the Swedish Crown." The rumor was true.

By the middle of October, 1811, all goods belonging to Girard at Hamburg had been sold, the indigo at 22 $\frac{3}{4}$ shillings Flemish, and the cocoa at 8/10 Danish currency per pound, and some of his goods at Riga; but Mr. Curwen, who had then reached London, was at a loss to know how to invest the funds. Six per cents were selling at 111 to 112; 3 per cents at 91; and Bank stock at £93, or about \$413.33 per share. Mr. Curwen, therefore, was rather in favor of leaving the money in England.

"I doubt whether even in the event of war exchange on London would lower. Money would be safe there. This Government never even confiscated a dollar of French property in the hands of Merchants. They certainly would not molest American property."

"Since my last I have been making every inquiry about the best way of getting to Hamburg. They all

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tell me the only *certain* way of getting there, without interruption, is to go to Paris with dispatches. From thence I can go anywhere within the Emperor's dominions without arrest or search. I accordingly applied to our Chargé d'affairs and have been so lucky as to secure the first thing of the kind which will be in about two weeks." Despite the high prices of stocks, Baring Brothers had by that time invested £11,470 sterling in United States stocks and bought 86 shares of Bank stock at £93 per share. Early in November they reported the purchase of Bank shares, amounting in all to 217, "which we shall forward to you by the U. S. Frigate Constitution daily expected to arrive here." Three days later the number of shares bought was 311, at a cost of £29,196 sterling.

"The Stralsund business," was Girard's reply, "is really incomprehensible. By the advice and documents which I have received from Mr. Mahlon Hutchinson Jr, it appears that the French have sequestered at that place 521 Bales of upland cotton shipped at Charleston on my account on board the ship *Rousseau*, Myles McLeveen master, that said cotton was regularly entered at the Custom House of Stralsund where it was landed and the duty thereon paid, and that after 15 months were elapsed the French have given up their right to the Swedish government which has judged proper to sell the cotton alluded to without regard to the application made by my agent. Although I have very little hope of recovering that property, yet I am determined to take every step in my power to obtain justice. With that in view I here enclose you my power of atty, authenticated by the certificate of the Swedish Consul."

Monroe was then applied to for a letter for Mr. Curwen.

"In January 1810 I dispatched my ship *Rousseau*,

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Myles McLeveen commander from Charleston to a permitted port on the continent of Europe with 824 bales upland cotton. That ship proceeded for Kiel in Denmark. At her arrival at that port my Hamburg agent, Mr. Mahlon Hutchinson Jr, ordered said ship and cargo to Stralsund, Swedish Pomerania, where said cargo was duly entered at the Custom House of that place and the duty thereon paid. While the sales of that cargo were progressing, a person just arrived from Paris sequestered five hundred and twenty one bales of cotton then unsold resulting from said cargo, and retained possession thereof under cover of sequestration until about the 14th of August 1811, when it appears that the French having given up their claim to the Swedish Government the latter have effected the sail as I am informed. For future particulars I take the liberty to refer you to the inclosed memorial and protest, translated from authentic copies in my possession written in the German language.

“My object in troubling you with this letter and documents is to acquaint the administration with the circumstances therein contained and to beg that you will send me a letter by duplicate to the Consul or Chargé des Affaires of the United States in Stockholm &c, in favor of Mr. Joseph Curwen of this city who went to Europe in August last for the purpose of liquidating and settling the business which I have in those countries.”

One of the documents was the memorial of several consignees of sequestered property and the other the protest of Mr. Hutchinson in behalf of Girard.

From Amsterdam Mr. Curwen went on to Hamburg, where he again wrote complaining of the slowness of the Barings. He had given them most positive orders to go on investing the funds, “provided it could be done under 94.10. Notwithstanding these orders, confirmed again &

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again by your subsequent letters to them & to me Mr. Bancker writes me on the 12th of Dec., that they had only bought 100 shares, but adds that they promise to complete the whole purchase and that those bought cost 93. If I could believe they would execute the order, I would not yet return. But what am I to think when I see such inattention & neglect? I cannot confide in their promises & fear that as soon as Mr. Bancker's back is turned the order will be suffered to sleep, & your directions will be forgotten. In obedience to your commands I shall leave this place in a few days (5 or 6) & hasten back as soon as possible."

On reaching London he went at once to Baring Brothers, and reported:

"I cannot express my indignation on finding that there is still about £23,000 Stg. uninvested and that Bank shares are up to £100 stg. My letter to them, dated on 23 Nov., was positive & as strong as could be, directing them to invest as far as £40,000 stg. in United States Bank shares if they could be got under 94,10 per share. They have bought some, I know not how many, for I was too angry to stay in their counting House until I could be informed, for 93. They are clearly liable for the difference paid out of the forty thousand pounds they were ordered to invest. I'll do nothing rashly but think it very likely I shall take the balance out of their hands & invest it myself. They are far more negligent than I thought them, altho' I had a very bad opinion of them."

On the following day he wrote:

"I have been this morning with an American stock broker & find that U. States Bank Shares are at £100 Stg., & that during the whole of December they were at 92, 93 & 94. Barings might have invested the sum I directed at those prices. I intend this night to write them

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a letter in which I shall inform them that I expect they will procure the Number of Bank Shares between what they did buy & what they might to have bought at 93 £ Stg. If they do not agree to do it I shall take the money out of their hands & sue them for the difference. I have no idea of seeing you robbed by their neglect.”

A sharp letter was accordingly written, answered with all courtesy, and the correspondence sent by Baring Brothers to Girard. Mr. Curwen then bought 30 shares at £100.13 and 13 at £100.10. But the next day he received a letter from Girard, which put an end to the buying.

“The fate of the late Bank of the United States was decided at Lancaster on the 20th instant by a great majority of the members of the Legislature who have voted against granting a charter to that monied institution although the bonus offered was ten per cent on the capital, and if required, to loan at any time \$500,000 to the State of Pennsylvania at the rate of 5 pr Cent pr annum.

“Exchange on London is ameliorating. I am informed that some good bills have been sold at 12½ below par. It is probable that if the Bank of England can support its former Credit exchange or that country will shortly be at par.

“It is probable that the United States will be under the necessity to open a new Loan which of course will depreciate the present stock.

“Having informed you of what passes in this country. I leave to your prudence to act for the best in my Interest as it respects the investment of the remainder of my funds or leave them in the hands of Messrs. Baring Brothers & Co. subject to my orders.”

Mr. Curwen answered that he

“was really mortified to find the Pennsylvania Legislature had from party spirit thrown out the Bill for Char-

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tering the late Bank U. States, altho such a bonus was offered. I should not be surprised if the United States would yet grant one. Mr. Gallatin speaks his sentiments pretty plainly and hints very significantly at the *necessity* of such an institution. I luckily however had only bought the 43 mentioned in my letter of the 19th. I refused 20 at £100.15 on the 20th. Of course I shall buy no more till I hear further."

Despite the poor outlook for trade the *Helvetius* was made ready and in March was dispatched for St. Petersburg with a cargo costing \$88,073. She was to touch at Elsinore to pay Sound dues and for orders. If that port were blockaded, Gothenburg was to be substituted.

"As the present European war places our navigation on a critical footing," said Girard in the Captain's instructions, "I request in the most particular manner that while at sea you will keep a constant lookout, and will avoid as much as possible to meet or speak to any vessel.

"The guns &c which I have put on board the ship *Helvetius* are not intended for hostile purposes but merely to protect the ship, crew and cargo."

Cronstadt was reached in safety, the cargo was sold as quickly as possible and July 22d the *Helvetius* set off, "intending to join the British Convoy at Hano, but on the 1st of August got the Capt. of a New York Pilot boat on board the *Helvetius* near Gotland in the Baltic who informed me that he was dispatched by the house of Minturn & Champlin of that place on the 22^d of June in ballast with letters from several houses in New York desiring their caps and supercargoes to put into the nearest and safest port for that America had declared war against England. In consequence of this disagreeable news I made up my mind to go into Carlscrona in Sweden where I arrived safe with the *Helvetius* on the 3^d August in company with

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seven American vessels & on the same day of our arrival waited on the commander in chief & he assured us that he would protect our ships & cargoes while in Carlsrona which is a good harbor & protected by two batteries at the entrance of the harbour and seven ships of the line. Not being all together satisfied with respect to the war I left Carlsrona the 4th inst. arrived in Malmo the 7th by land & on the 9th at Copenhagen where I read the declaration of War signed by the President of the United States against England and her dependencies."

At Copenhagen he presented some letters and "likewise waited on Mr. Forbes our *chargé des Affaires* at Copenhagen and requested him to waite upon the proper authorities to know if American vessels which went up through the Belt under the British convoy would be safe in coming to and while in this harbour; the Secretary waited on the King the 14th and received for answer that those Americans which evaded the British convoy must be real Americans, and should have his protection in his waters & harbours, they paying the sound dues before they come into his waters & have proper receipts for the same. Oh, but the English & the French!"

At Carlsrona the Captain waited week after week in hopes of a "reconciliation taken place between the U. States and Grate Britain. But all hopes vanished on returning home the 20th of Octb when I received your friends Baring Brothers & Co. favour which informed me that England had issued letters of marque against American Vessels therefore I hope to make myself contented in this most miserable part of the World for this Winter as the ship is now froze up & maid all fast to rings on the rocks of this place with one of our Bowers ahead alongside of Six American Vessels that sailed from St. petersburg in company & got in here the same day

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with me & all of us have become house keepers & triing to make our selves as comfortable as possible at Our Owners Expense."

On June 19th, 1812, when Madison, by proclamation, declared a state of war to exist between the United States and Great Britain, Girard had at his wharf the *Voltaire*, the *Good Friends*, and the *North America*, a new ship built to replace the lost *Liberty*. The *Rousseau* was then at Rio Janeiro, the *Montesquieu* returning from Canton, and the *Helvetius* at Cronstadt.

A letter written in March, and received in August, announced the arrival of the *Montesquieu* at Canton, and brought new instructions from Girard.

"In June last the United States have declared war to England and her dependencies. Several prizes have already been made on both sides. That circumstance induces me to request that you will manage the interests which I have trusted to your care with the greatest prudence. I prefer to have my property laid up in Canton than to run any imminent risks particularly as I am uninsured and that there is no prospect of making any safe insurance even at a premium of 50 pr ct.

"Should you judge advisable to retain the ship *Montesquieu* at Canton I authorize you to sell ship and cargo, or either, to place my funds in safe hands at interest on the most favorable terms, and to act in every respect as you will judge most advantageous to me.

"Should you decide to remain in Canton untill a peace takes place I request that you will reduce your expenses, use the greatest economy and advise me of every circumstance relative to my interest."

By November 11th news of the Embargo, but not of the War, reached Canton, and on that day the *Montesquieu* sailed for home.

CHAPTER VIII

CAPTURE OF THE GOOD FRIENDS AND THE MONTESQUIEU

THOUGH war had been declared, naval battles fought and won by American frigates, and British ships of war were hovering off the coast, Girard towards the close of December, 1812, decided to risk another shipment to Europe and dispatched the *Good Friends* to Charleston for cotton. In his instructions to the Captain he said:

“In addition to the small armament which I have put on board of your ship, I have furnished you with a Letter of Marque, for the sole purpose of protecting your crew, ship & cargo. Therefore I do not wish you to capture the property of others, but merely to keep off plunderers and marauders, so you may proceed to your destination as fast as possible.

“Should you be compelled to use the arms which you have on board, in view to keep off the Enemies of our country, I recommend you not to flinch or give up while there is some hope of success, but to use the most active and powerful means of defence.

“During about twenty years of my seamanship Experience, I have uniformly observed that in all cases where the life of the Crew were in jeopardy, calmness, energy, perseverance and courage on the part of the master and first officers would at all times encourage & impress the seamen with a degree of confidence which would make them loose sight of the imminent danger which surrounds them. * * *

“As my principal object in sending the ship *Good Friends* to the continent of Europe is to obtain a market for her Charleston cargo, it is indifferent to me if that ship arrives, at Nantes, Rochelle, Bordeaux or any neigh-

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bouring ports near those places as Circumstances will compel you to proceed to, observing nevertheless that I wish you to give the preference to Nantes where I hope the Cruisers of our enemy will not be so numerous as they will be off the entrance of Rochelle or Bordeaux River."

So thick was the ice in the river that on January 26th the *Good Friends* was still off Marcus Hook. At the Capes when about to put to sea, Mr. William Adgate wrote they met the schooner *Dart*, which said she had been chased into five fathoms of water by a frigate and brig "who cut away their rigging. We are in hopes to escape as the Easterly wind would oblige them to stand off yesterday."

They did escape, and the Charleston bar was crossed without any adventure late in February, 1813. When Mr. Stoney sent the bill of lading for the cargo it amounted to \$31,460.28.

"The *Good Friends* is completely ready for sea, but Captain Thompson with many others are unwilling to proceed to sea in the face of the enemy. The frigate *Eolus* and *Sophia* brig, was last evening close in with the bar, and I am informed their friends in this place have made them well acquainted with the vessels that are loading for France, their cargoes, and the probable time of their sailing. Should the wind shift to the Westward, Captain Thompson intends running out after dark by which manner he will escape them I hope."

March came and the *Good Friends* was still at anchor in the roads waiting for a fair wind to cross the bar. From the anchorage Mr. Adgate wrote:

"The *Aeolus* & *Sophia* Brig and *Melville* schooner were off the bar yesterday. the frigate was anchored just out of sight of the land. the fishing Craft are stopped from going out as it is supposed they give information to the Enemy."

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The blockaders soon sailed away and the *Good Friends* passed the Bar "in company with many other ships with a fine wind and when the pilots left them there was no cruiser in sight. I think it more than probable that the Frigate & Brig that were off have gone to the southward."

While the *Good Friends*, riding at anchor in Rebellion Roads, was waiting a shift in the wind to enable her to put to sea, the fishermen of the Chesapeake and Delaware Bays reported British armed vessels hovering off the coast. Express riders from the Bay side of Princess Ann County, Virginia, confirmed these reports and announced that a British squadron of two seventy-fours, three frigates and a schooner were standing in towards Hampton Roads. This was true, and the fleet proved to be that under the command of Sir John Borlase Warren, Admiral of the Blue, and Rear-Admiral Cockburn.

The day after the arrival of the British in the Chesapeake, as the ship *Magnet* from Madeira was entering Delaware Bay, an officer from the frigate *San Domingo* boarded her, endorsed her papers and sent her to New York with news that Delaware Bay and River were closed to trade and blockaded by the *San Domingo*, *Dragon* and *Bellona*. The commander of the fleet was Commodore Sir John Beresford in the frigate *Poictiers*, the same officer who six years before had captured the *Liberty*.

Just at this time the *Montesquieu* with a fine cargo of tea reached the coast, and on the night of March 26th passed Cape Henlopen, entered the Bay, and was soon a prize. That Girard expected she would fall a prize to the squadron on blockade is shown by a letter to Mr. Stoney; but great was his wrath when he heard to what an insignificant force her captain gave up the ship. To Mr. Stoney he said:

"Our bay is completely blockaded. Nothing can go

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go out or come in. I was in hopes that my ship *Montesquieu*, Capt. Robt. Wilson, which was at Canton, on the 4th November last, and was to sail for this port on the 14th or 15th of that month, with a cargo of teas and nankeens on my account would have had a chance of getting in safe, but owing to the activity of our enemies, I now give her up."

The story of her capture was written by Girard for the information of his lawyers.

"The ship *Montesquieu* armed with six mounted double four pounders (Swedish cannon) eight muskets, two pair of pistols, twelve cutlasses, eighteen boarding pikes, ammunition &c, under the command of Capt. Robert Wilson, who was also one of the supercargoes of that ship, sailed from Philadelphia about the 17th of December 1810 for the coast of Chili in the Pacific Ocean, endeavouring in the first instance to enter Valparaiso if permitted. On the 15th April 1811, arrived at that last port. On the 14th December 1811, sailed from there for Canton. On the 19th February 1812 arrived at Canton. On the 13th November 1812 sailed from Canton for Philadelphia with a China cargo on board. On the night between the 26th & 27th of March, was off Cape Henlopen. There fired several guns for pilot. At day light saw a small schooner beating out the Delaware Bay which owing to the ebb tide was soon able to round to a little distance from the stern of the ship *Montesquieu* and to order that ship to heave to, which was accordingly done. but as the ship *Montesquieu* was sailing much faster than her, some time did elapse before she was along side of that ship. On the 27th of March last, at 9 o'clock in the morning Lewis-Town Lighthouse bearing west about 6 miles, the ship *Montesquieu* having twenty one healthy men on board all seamen (except Mr. Arthur Grelaud the Supercargo who

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is young and has been several voyages at Sea) with all these advantages in favour of the *Montesquieu* the Schⁿ alluded to which proved to be his Brittanic Majestys Schooner *Paz* a Spanish built clump, of the size of one of our wood Shallops, armed with ten small carronades & guns, and thirty miserable starving men and boys, part of them without shoes & the remainder without shirts or outside clothes, had the good fortune to take peaceable possession of the ship *Montesquieu* by sending nine men & boys on board with a prize master who was a raw Irish boy not yet perfect in the English language; to that formidable force Captn Robert Wilson has judged advisable to deliver his ship, cargo and crew, consisting of twenty one men, including the supercargo, as hearty, strong & competent Seamen as any Crew of an equal number which ever went out in any ship belonging to this port, without even endeavouring to escape, which could have easily been done, particularly as it is agreed by all parties that there was a strong easterly breeze blowing right up the bay. * * *

“Immediately after the Commander, officers &c of the Schooner *Paz* had taken possession of the ship *Montesquieu* their first object was to be clear of the Crew of that ship. for that purpose they gave them the pinnace of said ship and permitted them to proceed with their baggage to Lewis Town except Mr. Arthur Grelaud the Supercargo and the steward of that ship whom they retained on board. Capt Robert Wilson arrived at Lewis Town with that part of the crew which had embarked on board of the pinnace on the 27th March and on that day wrote me letter No. 1.”

This letter reads: “Lewistown 27th March 4 o’clock P. M.

“I am this moment landed by permission of the Com-

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mander of the British Schooner *Paz* who I am sorry to say has captured the *Montesquieu* with her valuable cargo. The crew & myself are all here except Mr. G^d & the steward. Thus am I in a moment deprived of all.

"I take the opportunity of writing this by a Gentleman who I conceive will be a few hours in Philadelphia before me as I must arrange the conveyance of the crew. We were inside Cape Henlopen when taken. had not heard a word of the war.

"The ship is sent for Halifax."

"I received Captⁿ Wilson's letter on the evening of the 30th of March and in the morning of the 31st of March the first mate of the *Montesquieu* with a part of the crew arrived with the pinnace of that ship at Philadelphia and on the same day at about 2 o'clock in the afternoon Mr. Arthur Grelaud supercargo of the *Montesquieu* with Captⁿ Robert Wilson came to my house. The former informed me that while at sea on board the Schooner *Paz* in company with the ship *Montesquieu* they fell in with the ship *Poictiers*, commanded by Sir John Beresford who ordered said schooner and ship *Montesquieu* to proceed with him into the bay of Delaware where they safely arrived on the 29th of March, and said A. Grelaud was invited to change his quarters on board the ship *Poictiers* where he was very politely treated by Commodore Sir John Beresford who brought the conversation on the subject of the ransom of the ship *Montesquieu* and cargo which was finally agreed upon for the sum of one hundred and Eighty thousand Spanish Milled dollars in specie, provided I should consent to it. After having concluded that arrangement Mr. Grelaud was preparing to come in a flag to Philadelphia via Cape May, when Captⁿ Wilson came in a flag from Lewis-town on board of the *Poictiers* with the pretext of having in view to ransom the said ship

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and cargo, and being informed that the arrangements had been made by Mr. Arthur Grelaud he came with that Gentleman to Philadelphia as before mentioned.

“Immediately after I was informed of the conditional agreement which Mr. Grelaud had made for the ransom of the ship *Montesquieu* and cargo, I consulted Gentlemen of the law who advised me to apply to government for permission to effect said ransom. Being myself of their opinion and considering that the United States were interested in the Event of said Ransom as far as the amount of the duty on said ship and cargo, on the 1st of April Mr. A. Grelaud went to Washington City and returned a few days after with the necessary letters &c to obtain a flag.”

On his arrival in Washington Mr. Grelaud called on William Jones, Secretary of the Navy, who at once wrote to Girard:

“This instant at 9 P. M. Mr. Grelaud presented your letter and I have this moment returned with him from an interview with the Secretary of State who is perfectly disposed to facilitate your object and will see the President in the morning with that view. I think I may venture to say that there will be no obstacle to the accomplishment of your wishes and I shall sincerely rejoice if, by the recovery of your vessel & cargo (even at so high a ransom), you shall escape a loss so severe and vexatious; and even now I derive great satisfaction from knowing that it is much less than the exaggerated accounts had made of it.” The newspapers had stated the value of the cargo to be \$1,500,000; but it was, according to Girard, \$164,744.20.

On the following day, April 5th, Monroe wrote Girard:

“I have received your letter of the 1st inst. which has been laid before the President and I have the pleasure to

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inform you that he has readily assented to the measure proposed by you.

"I have written to Mr. Dallas as also to Mr. Bloomfield who will send a flag to the Commander of the British Squadron with the Person you may appoint to transact your Business with him. For the sake of Example in other cases, should such occur, it will be proper that an officer of the United States should be present at the conferences which may take place between your agent and the British officers."

"Immediately after the return of Mr. A. Grelaud from Washington to this city," Girard continues in his narrative, "I obtained a flag with the requisite passports, the whole under the care of Mr. Robert Sterry, Captain in the land service of the United States, and after having engaged a first rate Pilot to bring the ship *Montesquieu* up to Philadelphia, and hired a sufficient number of riggers belonging to this port, I shipped on board of said Flag one hundred and eighty thousand dollars in specie consigned to Mr. Arthur Grelaud who also went in the flag with three of my apprentices together with Captain Myles McLeveen who went down to take charge of the ship *Montesquieu* in case the ransom of that ship would be effected. Although I did not intend to trust any further care of my ship *Montesquieu* or cargo to Capt. Rob^t Wilson, yet wishing to treat everyone with politeness and being desirous to avoid as much as possible to do anything which would hurt the character of that man, I obtained from the authority which granted the pass that the flag should be permitted to go from the ship *Poictiers* to Lewis town in view to take there Capt. Wilson; at the request of Mr. Arthur Grelaud the flag was sent from the ship *Poictiers* to Lewis town for the purpose before mentioned; but for some cause, no doubt well known to Capt.

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Wilson, the Commanding Officer of that place would not permit said Capt Wilson to have any intercourse with the Enemy, consequently the flag returned without him, and Mr. Arth Grelaud having concluded the ransom of said ship, cargo, adventures &c, &c agreeable to Sir Beresford's receipt No. 4, said ship *Montesquieu* &c proceeded up the bay and river Delaware under the command of Capt. Myles McLeveen."

Commodore Beresford's receipt reads:

"H. M. S. Poitiers April 11th 1813.

"The ship *Montesquieu* has been Ransomed and allowed by me to proceed to Philadelphia; it is therefore my directions you allow her to proceed to her Port without molestation.

J. P. BERESFORD
Comodore & Com^d the
Squadron Blockading
the Delaware

To the
respective officers
of the Squadron
under my com^d
J. P. Beresford."

While Girard was negotiating for the ransom of the *Montesquieu* and her cargo, the *Good Friends* entered the harbor of Plymouth, England, a prize.

"The present serves to inform you," Hawker & Sons wrote April 7th, "of the arrival here of your ship *Good Friends*, Capt. Thompson, from Charleston, having been captured by the frigate *Andromache*, and *Rover* ships of war. She arrived here this day." A month passed before Mr. Adgate was able to send the story of her capture.

"I will now proceed to give you a narative of our most unfortunate voyage. After being ready for sea the

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ship was detained for some days for want of wind to get over Charleston Bar, as I informed you by my letter of the 15th of March pr the Pilot. On that day we got under way in company with about 10 or 12 sail four of which were destined the same as ourselves. We had not been more than one hour out before we passed a British frigate supposed the *Aeolus* about three miles under our lea too far to chase us. On the 10th of March we were chased by a ship which by altering our course we lost sight of. strong gales of wind. 14th saw a sail. hauled our wind and lost sight of her. 15th saw two sail. discovered one of the sail to be in chase and gaining on us. hauled our wind to the Eastward. at 12 observed we gained upon & at 4 P. M. could not see him. Strong gales & squally. We saw at different times Vessels but by altering our course we soon got out of sight of them. From the 25th to the 31 March we had head winds. On the first of April wind got favorable and I began to have great hope of a safe passage. On the 2d of April at daylight in Lat abt. $45^{\circ}.30'$ North and long. 5° west the man at masthead discovered two sail on our lea bow. the ship was hauled upon the wind. The weather squally and thick we lost sight of them. made all sail. the squall blew over. We discovered the two sail in chase of us (a Brig & Schr) upon our lea quarter. we were then and through the day going with our lea sails under water. As the squalls blew over we could see them in our wake. They did not appear to near us and we had every hope of escaping them until 4 o'clock P. M. as a squall blew off we discovered a frigate on our weather bow about a mile and a half, which we had not been able to see on account of the thick weather. The Frigate in chase of us. Capt. Thompson put the ship before the wind & set all the sails the frigate coming up with us fast notwithstanding all we could do. We threw two of our guns overboard. The

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frigate nearing us so fast that it was not possible to get the weather gage of her. At 5 o'clock she commenced firing & likewise the Brig. at about half past 5 the cannister and grape from the frigate were flying all round us she being then within musket shot and gaining on us. Capt. Thompson seeing no possibility of escape ordered the colours hawled down and in a few minutes two boats from the frigate boarded the *Good Friends* and took possession of her. Our crew with myself were sent on board the *Sea Lark* and only Capt. Thompson suffered to remain on board the ship. The sea was running so high that I expected every moment the boat would swamp. I desired to see the Captain of the Frigate but was not permitted. The ship was ordered into Plymouth under convoy of the Schooner & Brig and arrived on the 5th Ap. I was sent on board the *Hector* prison ship with our crew and remained one night without a bead or anything to ly on. The next day I was sent from there to Mill Prison and kept two days. When they sent me on my parol to Ashburton. Thus situated it was impossible for me to do anything or even to correspond with your friends in London as all letters must go through the transport board to be examined.

"I however availed myself of privalege of writing to Messrs. Baring Brothers & Co. through the Honorable Transportation Board to request them to advise and assist me in the means to be taken that I might be enabled to return to my native country. On the fourth of May an order came from the Transport board for me to come to London where I arrived on the 6th instant and am still considered a prisoner of war. * * *

"I endeavoured after our capture to ransom the ship but I could not effect it so many interests were concerned. After my arrival I was kept in close custody so that I could do nothing."

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Mr. Curwen, then at Lisbon, reading in an English newspaper of the capture of the *Good Friends*, at once wrote Mr. Adgate.

"I arrived here a few days ago from New York. I was sorry to find that you had been captured & carried into Plymouth. Mr. Girard has instructed me to purchase the *Good Friends* for him in the following words, 'But, if unfortunately, the ship *Good Friends* should be captured by the British & carried into England, I request that you will purchase on my account that ship & cargo, provided you have the certainty that you can introduce both to France under License or otherwise, but should that plan be impracticable and that the ship *Good Friends* alone with her appurtenances, should sell for much less than what you consider her value, please to purchase her on my account to have her laid up until peace or to employ her as a License Ship to navigate to Europe, if Captain Robert Thompson or Mr. Gifford or either of them will go in her as master.

"In a conversation about her value Mr. Girard thought she ought not to cost more than Eleven or Twelve hundred Pounds Sterling. I expect to sail for Portsmouth in two or three days in a convoy and write you by the Packet to enable you to meet Mr. Girard's views if practicable. I know not how far the ship would be liable to seizure after a sale, if it was known that the purchase had been for American account. I should apprehend she would not be safe if it was known."

The *Good Friends* was promptly condemned, sold and sent to Liverpool, but Mr. Curwen, on his arrival at London, requested the Barings to purchase her.

"The price they ask," said Mr. Adgate, "is £2500. They say they have refused £2000 but Messrs. B's friends think they can get her for less than the 2500. Mr. Beasley

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has engaged to get Capt. Thompson released. No answer has been returned from L'pool to know whether the purchase has been made, but we must know in a day or two.

"I have been in London near two months but am considered a prisoner of war on parole. * * * Thompson & Gifford were on their parole at Ashburton and were well a few days ago. The crew including the apprentice boys were on board the *Hector* Prison Ship at Plymouth."

Mr. Curwen reported to Girard the price asked for the vessel and said:

"Mr. Adgate informed me he thought she might in case of being purchased be made a cartel to return to the United States. I immediately waited on Mr. Beasley, the agent for prisoners (Mr. Beasley was also American Consul in London). he agreed to make her a cartel if I should buy her, & further in that case consented to have Thompson released in order to command her. He did not positively agree to take Mr. Gifford out of his turn (for the oldest prisoners are sent home first, taking them regularly in turn) but I have little doubt of getting both him and your apprentices. * * * I reason in this way. She is a favorite ship of yours; you should grieve to lose her. If a peace should take place I should suppose her worth 9 or \$10,000 and what with you I am sure will be a consideration, by buying her I get the immediate release of Capt. Thompson, & most likely of Mr. Gifford and your apprentices & perhaps of her whole crew. Mr. Adgate would of course go in her. Some passengers would also be obtained. With these considerations I determined on buying her & yesterday desired Messrs. Baring Brothers & Co. to write again to their friend in Liverpool desiring him to get her on the best terms he could within the 2500£."

The *Good Friends* was finally put up at auction and

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bought by the Barings for £2250 subject to a discount of 2 pr ct., or six months' interest, which, at the then rate of exchange, made the price \$8500.

"Unless I see some prospect of a peace," wrote Mr. Curwen, "or a renewal of trade in a few days I shall get as many passengers as I can and send her to the nearest port to New York. Newport Rhode Island appears to be the most eligible."

On his return to Philadelphia Mr. Adgate wrote a narrative of his experiences.

"As supercargo of the ship *Good Friends* of Philadelphia I sailed from Charleston South Carolina, 5th March last bound to a port in France. On the 2nd of April was captured by the British frigate *Andromache*, Schooner *Sea Lark* & Brig *Cerberus* in sight after a chase of twelve hours by the two latter, being within about 18 hours sail of the port of Nantes. Every person except our Captain was taken from on board the *Good Friends*. The most of them with myself was put on board the Schooner *Sea Lark*, which, with the Brig convoyed the *Good Friends* into Plymouth where we arrived the 7th of April. On being obliged to leave the *Good Friends* I prevailed on the crew of the boat to put me along side of the Frigate. I went on board in order to try if possible to ransom the ship. I had hardly landed on the deck before I was met by the Lieutenant and forced into the boat. We were sent on board the schooner and in justice to the commander (Thomas Warrant, a native of Bengal), I am glad to state that I were treated with great humanity & kindness. He assured me that I should not be imprisoned. Upon our arrival at Plymouth he sent me with Mr. Gifford the mate on board the Prize. I had not been on board more than half an hour when the Port Admirals Launch came along side the *Good Friends* & Mr. Gifford

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and myself were ordered into the Launch & sent with our ships crew on board of the *Hector* Prison ship in Hamon. Here I found about one hundred & fifty of my countrymen (2d mates & sailors), upwards of two hundred having been removed to Dartmoor, a few days before, as I was informed.

“Mr. Gifford knowing the delicate state of my health addressed the commander of the Prison Ship (unknown to me) & begged he would allow me some comfortable place to sleep in, urging my state of health as the reason, that I was not accustomed to hard fare. He told Mr. Gifford I might as well go below with the sailors as he should make no difference in our treatment. I was counted down in the hold with the others by a soldier where we were all locked down. I had nothing allowed me to sleep on this night.

“The next morning I was ordered off to undergo an examination by the Commander of His Majestys ship *Hector*. He asked me a number of questions and examined if I had any marks or scars to distinguish me from others. He then ordered me to stand under a gauge while a soldier took my measure. He then ordered me to go forward.

“After being about twenty-four hours on board the Prison Ship Mr. Gifford and myself were ordered into a boat with a guard of soldiers. The humane officer hailed us and asked us in a sneering way if we had any money. We were landed near the Prison and marched before Captain Pillow of the R. N. Commissary for prisoners of War brought into Plymouth. This man insulted me with great politeness. I was again interrogated by him and a description of my person taken down. During this time I was informed that the United States Frigates *President* & *United States* had been captured by His Majestys Ships. Captain Pillow was extremely sorry for my

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treatment, my being sent on board the Prison Ship was a mistake. At the same time he discovered by his countenance and manner of expression that he was much pleased. I observed that I had no right to expect better treatment than other of my countrymen. After he had done with us he sent us with a guard to the Prison. The part we were lodged in was called the Hospital. Here I found several of my countrymen, to be ground as they called it, in His Majestys mill. The room in which we were lodged was from 50 to 60 feet in length, with iron bed steads ranged on both sides at short distances from each other, without a single chair or stool to sit on, nor any utensil for cooking. What they gave us to sleep on and which they called a bed could not have weighed a pound and a half. I examined a number of them and they were all of this description. No prisoner who is not furnished with one of his own can have a better. The allowance to prisoners in Mill Prison is the same as on board the Prison Ship—namely, one & a half Pound of black bread & half a pound of meat, including the bone, 5 days in the week, & two days in lieu of meat they have $\frac{1}{2}$ lb. codfish or 6 Red Herrings, without fire or candles. I was told that the prisoners were fed by contract at 7 d. pr. day. The allowance is most inadequate to their absolute wants.

“From Mill Prison I was taken out of Prison several times to be examined and profited by it to get something to eat. Having signed my parole and having remained 48 hours in Mill Prison, Mr. Gifford & myself were conducted by a guard to a coach and ordered directly to proceed to Ashburton 24 miles from Plymouth. Here I found 74 of my countrymen, masters, mates & supercargoes.

“I waited according to my orders on the Commissary for prisoners (Mr. Gribble) and was paroled among the

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others and ordered to call at his office twice in the week.

“The allowance for Parolled Prisoners is 15d. pr. day which is certainly quite insufficient to support them with the necessaries of life.

“I found means to inform Mr. Girards friends in London of our situation and requested their good offices to obtain my release that I might be enabled to return to my native country.

“I had been in Ashburton about a month when an order came from the transport office for me to come to London. This was in consequence of an application from Messrs. Baring Brothers & Co. to Lord Sidmouth. The Board of transport allowed me to remain in London on my parole three months. In the meantime I hoped to find an opportunity & to be allowed to return to the United States.

“I had engaged my passage with a Captain Sheaffa and was intending to apply for my release as a non-combatant, when I received a letter from Mr. Joseph Curwen dated in Lisbon, and which I had been expecting in England for some time. He mentioned in his letter that Mr. Girard had instructed him to buy the *Good Friends* & cargo, or, if that should not be practicable to buy the ship alone provided she could be had at a price not above her value. Mr. Curwen requested me to make the necessary enquireys. I had already learnt that the ship was lying in Liverpool whither she had been sent, & that the cargo had been landed. They had not been able to sell the ship on account of her age her bend being sheathed. The price they asked was Eleven Pounds pr. ton. This I considered to be greatly beyond her value.

“I finally determined to wait the arrival of Mr. Curwen in England, in the hope that I might in some way contribute to make up to Mr. Girard the loss of his ship & cargo.

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"I had frequent conversations with Mr. Reuben G. Beasley the American agent for prisoners of war. I was told if an American Prize was purchased by a citizen of the United States, she might be sent to the United States as a cartel with such papers only as the agent would give. I was assured there would be no difficulty in the way of this business, as a ship had lately sailed from Plymouth under these precise circumstances.

"Of this I informed Mr. Curwen on his arrival in London. Mr. Curwen requested Messrs. Baring Brothers & Co. to write to their friends in Liverpool to ascertain the price at which the ship might be obtained, & they rec'd for answer that £2500 was the price at which they would sell her. They had refused £2000. Mr. Curwen deliberated about the purchase. He told me if he should not make it Mr. Girard would blame him. At length he determined to order the purchase which was made at auction for £2250. Mr. Curwen had previous arranged with Mr. Beasley that the ship should proceed to this country, as a cartel, & he engaged to obtain the release of Captain Thompson & Mr. Gifford & perhaps the apprentice boys.

"Nothing further was done for a few days as Mr. Curwen waited to see the President's Message to Congress. In the mean time I applied thru Messrs. Baring Brothers & Co. for my release to which no reply was given. After the message of the President was arrived in England Mr. Curwen decided to send the ship home, immediately, with passengers (as a cartel for non-combattants) the transport Board having given Mr. Beasley a written promise that the *Good Friends* should be allowed a cartel flag to proceed to the United States with passengers (non-combattants). Twenty-five passengers were immediately engaged at 50 guineas each.

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"I was instructed by Mr. Curwen to go to Liverpool as soon as I was released from the transport Board, and orders were given to have the ship put in a state of readiness for sea. Mr. Curwen having urgent business which claimed his personal attendance in Sweden, he left England and directed me to attend to the outfit of the ship. The application for my release was sent by Lord Sidmouth to the Admiralty and by them referred to the transport Board. I was kept in a state of suspense nearly a month when they decided I was to be released as a non-combattant and I was transferred from the transport to the Alien Office, when I obtained a passport to go to Liverpool to embark for the United States. On my arrival I found the ship in a forward state of preparation. A carpenter was contracted with to prepare the ship twixt decks for passengers & he engaged to complete it in one week or ten days at furthest. In the mean time I proceeded to the purchase of stores. A list of passengers, thirty-one in number, was forwarded to Mr. Beasley in order to obtain the document from the transport board constituting the *Good Friends* a cartel, and at the same time Mr. Beasley applied to have Captain Robert Thompson released to command the ship. At this time I was informed from an undoubted source that Lieutenant Brown, the Agent of the transport board, had received a letter from the Board in London, requiring information regarding the ship—who was the owner, if she had a Register. If she had not the Cartel flag would be withdrawn. Thus unexpectedly and unpleasantly situated, having put the ship in readiness, the stores purchased & the passengers nearly all of them waiting to embark, I advised with the friends of Messrs. Baring, Messrs. Thomas & Wm. Earle & Co., and decided to go to London & started immediately. On my arrival in London I found

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that Mr. Beasley had not received any answer to his application for the cartel documents, but they had refused to allow Captain Thompson and the mate to go in the ship (they being combattants). In two or three days he received an answer to the application for the cartel, 'That as the *Good Friends* was prize, and not having a Register she could not be allowed to sail as a Cartel.' Mr. Beasley was informed by the Secretary of the Transport Board, as soon as a Register was taken out there would be no obstacle and the documents would be immediately granted. Having been forced into this unpleasant dilemma, incurring much expense, the passengers anxiously waiting in Liverpool, Mr. Beasley assured me with the documents he would give there would be no difficulty in obtaining a register in the United States. Messrs. Baring Brothers & Co. determined to take out the Register. I returned to Liverpool. The necessary papers were forwarded to London and a Register was taken out in the name of John Deacon, one of the partners, which was exhibited to the Transport Board, and the Cartel document was granted. Crew on board and the ship hauled into the River. In order to put the passengers baggage on board the ship, it was necessary to go through the form at the Custom House, and this was all which remained to be done previous to our sailing. When the application was made at the Custom House for this purpose, the Collector refused to allow the passengers or their baggage to be embarked, in consequence, as he said, of a letter he had received from Lord Sidmouth, which appeared to be in reference to the cartel, *Robert Burns*, as the ship was named in the letter; but the Collector chose to apply it as well to the *Good Friends* and said he would do nothing until he had written to London.

"The next morning I learnt that the agent of the trans-

THE LIFE AND TIMES OF STEPHEN GIRARD

port board had been ordered to withdraw the papers of the *Good Friends* & to return them to London.

“Messrs. Baring Brothers & Co. wrote me that they had failed in their last application, and that they should do nothing further until a more favorable disposition was evinced by their government. They mentioned that in consequence of our having obtained passports, we would be allowed to depart in any vessel legally authorized to clear for the United States (neutral). The intended passengers for the *Good Friends* met and addressed Lord Sidmouth praying he would give such directions to the collector as would prevent his placing any obstacles in the way of our departure. As the greatest hostility had been shown on the part of the officers of the Customs from the beginning, we engaged the (whitewashed) Swedish ship *Neptunus* and stipulated that she should take the stores of the *Good Friends* and such of the fixtures as could be used. From the moment I learnt that the Cartel was taken from the *Good Friends* I determined to return to the United States by the first opportunity, and accordingly took my passage with the others on board the Swedish ship.

“We was not able to get away until the 28th of September, and the same hostility was manifested towards us to the last. They refused to allow us more than one steward. There is some old law which exists but has never been acted upon, before, which would only allow 49 persons. This number being complete on no account would they allow us more. We were ordered on board the ship where the roll was called and the ship strictly searched in every part. They proceeded to the hold with Lanthorns & Long spears with (which) they searched every place which would not admit of their body. Among the wood they discovered four American sailors who had been concealed 36 hours on board (these poor fellows whom they would

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not treat as prisoners of war were sentenced to three months imprisonment). Two other lads who were on deck were sent along with them, and the Captain was fined £300 tho it was made evident he had no knowledge of their being on board the ship."

"I have heard," Girard wrote Mr. Curwen, "of the capture of my ship *Good Friends*, Robert Thompson master, but I am not acquainted with the particulars. Although that loss is pretty severe, particularly as I had no insurance either on ship or cargo, yet I must in this instance say, that everything is for the best. It will be a lesson for me while the war will last." Again in a later letter he said: "The capture of my ship *Good Friends* and cargo is no doubt a severe loss, but in some instances we should say, as Pangloss, everything is for the best. It will teach me to be more prudent while the war lasts."

The loss of the *Good Friends* made Girard more eager than ever to be released from payment of the fines and double duties imposed by the Delaware collector and from liability for all the duties levied on the cargo of the *Montesquieu*. The owners of the *Amazon* and the *United States* joined with him, therefore, in a memorial to Congress for relief in the Amelia Island case. Mr. Dallas took it to Washington in June. The Senate referred it to a Committee: the House referred it to Mr. Jones, acting Secretary of the Treasury, and Mr. Jones advised that the relief prayed for be granted when the memorial was presented. The double duties required by the Act

As soon as Girard heard
that the *Good Friend*
regularly entered
before war w:
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required to pay

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ertheless, to avoid trouble with the Secretary and the Government he would pay the additional duty if the Government would pay its pro rata share of the ransom of the *Montesquieu*. With this in view he at once sent off a memorial June 19th, 1813:

"To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

"The Memorial of Stephen Girard of the city of Philadelphia, merchant, sheweth,

"That the ship *Montesquieu*, Robert Wilson, master, ship and cargo owned by the said Memorialist, sailed from the port of Philadelphia on or about the twenty-second December 1810, on a circuitous voyage to the Pacific Ocean; that the said ship left Canton loaded with China articles on or about the 15th day of November in the year One Thousand Eight Hundred & Twelve. That on her passage to this port she was captured off the Capes of Delaware by the British and by them brought into the Bay of Delaware, that Mr. Arthur Grelaud Supercargo of the ship came up to the city of Phila^d, and informed your memorialist of the capture of the Vessel, and of her situation, and that Sir J. P. Beresford Capt. & Commander of his Britanic M. Ship *Poictiers* had agreed to accept the sum of One Hundred Eighty Thousand Dollars in Specie for the Ransom of said ship & cargo, that the said ship being within the waters and jurisdiction of the U. S., your memorialist thought it his duty to apply to the

United States to procure their ransom, and having obtained

granted to him by the

did immediately

hundred and

on board the

th of April last

CAPTURE OF GOOD FRIENDS AND MONTESQUIEU

to Sir J. P. Beresford Commander of the Blockading Squadron.

"That the said ship *Montesquieu* & cargo arrived at Phila^d on the 14th of April last and that the duties on said cargo amounting to \$149,682 9/100 were bonded agreeable to law. Your memorialist therefore begs leave to observe that considering the Government of the United States were interested in effecting the said Ransom as far as the amount of the said duties, it is just & reasonable that the sum paid for effecting the said Ransom should be defrayed *prorata* of the value of said ships Invoice cost of the cargo and amount of said duties."

In acknowledging the receipt of the new memorial, Dallas said that to introduce it, at that time, would be most unwise. Girard could have no idea of the difficulty of securing attention to any application which in the least degree affected the Treasury. The Secretary in a conversation on the claim for the *Montesquieu* would not consider it as serious. Members of the House, friendly to the case of the *Good Friends*, urged him not to attempt to connect it with the other. "For the present therefore I shall abstain from presenting the memorial for a contribution to the ransom of the *Montesquieu*."

The Treasury Department stood firm in its opposition to the remission of the forfeitures in the Amelia Island cases, unless the double duties were paid. The best Dallas could do was to induce the Senate Committee to report a resolution for granting relief upon payment of the double duties.

June 23, 1813, the Senate Committee reported:

"That a Committee be appointed to bring in a bill for the relief of Stephen Girard and others, the owners, respectively, of the ships called the *Good Friends* the *States* and *Amazon*, and their cargoes, upon con'

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they respectively pay to the Collector of the port of Philadelphia, for the use of the United States, in addition to the duties by them heretofore respectively secured and paid upon the said cargoes, a sum which shall be sufficient to make the whole amount paid equal to the amount of the duties which would have been chargeable if the cargoes had been imported and entered subsequent to the 1st of July 1812."

The bill, drawn by Mr. Dallas, was in due time presented, passed by both Houses, and approved by the President, July 29th, 1813.

The act was entitled "An Act for the Relief of the owners of the ships the *Good Friends*, the *Amazon* and the *United States* and their cargoes," and extended to them the benefits of an act passed January 2, 1813, providing for the remission of fines, penalties and forfeitures in certain cases. Under this, goods, wares and merchandise owned by citizens of the United States and imported from Great Britain, if shipped between June 23d, 1812, and September 15th, 1812, were made exempt from the fines, penalties and forfeitures imposed by the Acts of March 1, 1809, May 1, 1810, and the supplementary act of 1811. To obtain such relief the owners must petition any judge or court proper to hear such petition, and if, when the facts shown at such inquiry were sent to the Secretary of the Treasury, he believed the goods were proved to be "*bona fide* property of American citizens," the Secretary must remit the fines, penalties and forfeitures and direct any prosecutions pending to cease, after all costs and charges had been paid by the owner or owners of the ship and cargo.

Under this act it now became necessary for Girard to present a petition to Judge Peters, and on August 30th a document was presented by Messrs. Rodney and

Le.

CAPTURE OF GOOD FRIENDS AND MONTESQUIEU

"We embraced the earliest moment this morning," Mr. Rodney wrote Mr. Dallas, "to present Mr. Girard's petition which was read with the accompanying documents. The Judge (Peters) asked immediately for his certificate of naturalization or some other proof of his citizenship. We replied that the American register granted to Mr. Girard's vessel the *Good Friends*, by which the U. States recognized him as an American citizen taken, together with the evidence already before the court, sufficiently proved his citizenship. Mr. Read then rose and objected to the petition as deficient in form and substance. 1. Because it did not admit unequivocally a forfeiture to have occurred. 2. Because it did not state specifically the sentence of condemnation that had passed against the vessel & cargo. He proceeded to observe that by the decree of the court certain portions of the forfeiture had visited individuals who could not be deprived constitutionally of their rights by any act of Congress. That the law was *ex post facto*, & not obligatory on the Court. He concluded by observing, as the subject was of great importance as to those concerned he must beg time to prepare himself for argument of the case, & to consider of the best mode of bringing the subject before the Court. We wished the court to set the next day, but the Judge said he was obliged to be in Dover on that day. He agreed however to adjourn the court to the 29th of Sept. when he will be here again & that is the earliest day we could get him to fix."

On the appointed day the Judge was "indisposed," and the case went over to October 29th.

At the next session of Congress, in March, 1814, Girard renewed his petition in the case of the *Montesquieu*.

The memorial stated the case as before and claimed that as the Government was interested in the ransom to

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the amount of the duty, \$149,682.9, it was just and reasonable that the \$180,000 paid in ransom should be "defrayed prorata of the value of the said ship, freight, invoice, cost of cargo and amount of said duties." The value of the ship he placed at \$25,000; the freight from Canton at \$27,000; the invoice cost of the cargo at \$164,744.20; and the duty paid at \$149,682, making in all \$366,426.20. Distributing the ransom on this basis, \$12,280.78 should go to the ship; \$13,263.25 to the freight; \$80,927.50 to the cargo and \$73,528.47 to the duty on the cargo. This latter sum was the amount Girard prayed Congress would order returned to him.

The Senate Committee made an adverse report. "They see no reason," the report said, "for considering the importations in the *Montesquieu* as being placed in a different situation, as to payment of duties on account of the ransom of that vessel." The petitioner on his own application was permitted to ransom his vessel for his own benefit. The permission was in the nature of an indulgence, and they could see "no validity in the suggestion of common interest"; therefore it was recommended that the petitioner have leave to withdraw his petition, a recommendation in which the Senate concurred.

CHAPTER IX

THE BANK AND THE LOAN

THE Bank of the United States, which Girard told Mr. Curwen had been refused a charter by the Legislature of Pennsylvania in 1812, was created by Act of Congress in 1791, at a time when there were but three banks in all the United States. The life of the charter was twenty years. At the close of this period, 1811, a memorial from the President and Directors of the Bank, of whom Girard was one, praying for recharter, was presented to Congress; but it was not granted, and March 3d, 1811, the Bank closed its doors.

Trustees were then appointed by the stockholders to settle its affairs, the entire corporate estate was transferred to them, and instructions given "to apply to the legislature of any state for an act of incorporation to include the capital of the Bank and to incorporate the stockholders therein, and such persons as should in the meantime become the representatives of the stockholders."

During the session of 1811-1812 a like memorial for a charter was addressed to the Legislature of Pennsylvania, and though a bonus amounting to ten per cent. on the capital stock was offered, the charter was refused. Thereupon Girard determined to use the funds he had drawn from London to establish a private bank of his own, bought the banking house and residence of the cashier of the old Bank of the United States on 3d street, employed its one time cashier, Mr. George Simpson, to act in the same capacity for him, and May 23d wrote Governor Simon Snyder, of Pennsylvania:

"The unfavorable prospect of our maritime commerce has induced me to appropriate some of my funds to dis-

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count negotiable notes. For that purpose I have purchased from the Trustees of the late Bank of the United States, their banking House and appurtenances situated in this City, South Third Street, and there intend to transact on my private account the Banking Business as far as prudence will permit."

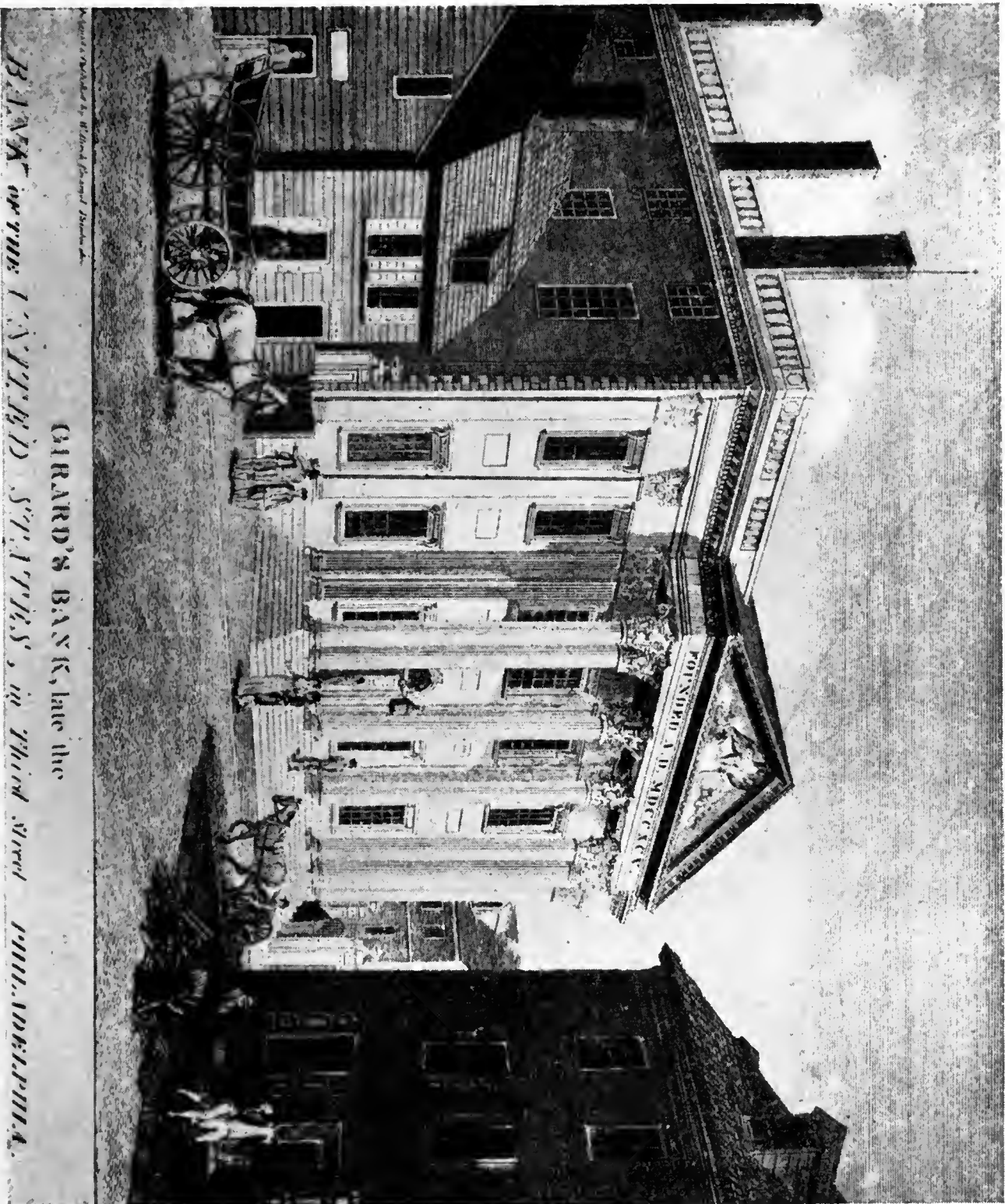
To establish the credit of the new bank, extend its operations and secure the circulation of its notes and post notes in other cities, he now applied to his correspondents in New York, Baltimore, Richmond and Charleston for the names of sound and reliable banks in those cities.

Of Mr. Thomas of New York he asked: "Which is the Bank of your city whose prudence in discounting and solid capital merits an unlimited confidence?"

The reply was, "The New York bank of this city is considered the most prudent." To Charles Fitzsimmons of Charleston he wrote: "Sometime ago I purchased the Banking House with its appurtenances of the late U. S. Bank with the view of transacting there private banking business. Presuming that during the course of the operation of that establishment, I will have occasion to apply to one of your banks either for collecting Bills on my account or otherwise, I beg that you will inform me of the one whose conduct merits public confidence."

Baring Brothers & Co. were of course invited to act for him in London.

"Having in several instances experienced that the magnitude of the Funds which I had these several years past employed in my maritime commerce has induced me to make hazardous shipments, I have judged advisable to establish a private Bank, which is now in operation in the Banking House of the late Bank of the U. States which I have purchased. Should you have occasion for



Engraving published by W. Birch, Somerset, 1812.

GIRARD'S BANK, late the
BANK OF THE UNITED STATES, in Third Street PHILADELPHIA.

Finished 1797. Bought by Girard, 1812

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my services in that line of business, please to dispose of them. * * *

“Please to inform me of the terms of your house for transacting the Banking Business which I may from time to time place in its care adding its intention respecting the extent of credit and the conditions on which it will be granted in case I should judge it advantageous to draw on your said house in anticipation of future remittances, &c, &c.

“I have no objection to the rate of interest. You may fix it at four or five per cent, but it must be reciprocal.

“I have sold the cargo of my ship *Good Friends* at public auction at a pretty good advantage, but I am surrounded with difficulties. The United States have instituted two suits against me, one for what Lawyers call forfeiture for the value of ship & cargo, and the other penalty for triple the value of the cargo. I consider their disposition as a matter of form. I tell them that I have not violated the Laws of the United States, but that themselves have imported my goods within their Jurisdiction.”

In August Mr. Alexander Baring replied: “I have long been of opinion that such an establishment was wanted in America and could not fail of success, and indeed strongly recommended the experiment to our common friend D. Parrish. The improvement of commerce has produced such establishments in all parts of Europe and America is ripe for them. People cannot transact business confidentially with 24 directors. They can have no facilities but such as are in a strictly regular form and are besides exposed to the jealousy and observation of their neighbors. A private Banker will be found so great a convenience that I think it probably you will have almost all the commercial houses for customers. You

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will much oblige me as you advance to inform me how you proceed & succeed as I feel particularly interested in the result of the undertaking. Do you issue notes? I suppose not, but interest yourself with deposits and keep your own cash with one of the great banks as our Bankers do with the Bank of England. Another great advantage of a private Bank is in my opinion connecting with its foreign exchanges. A Bank in New York (The Jersey Bank) tried this and we were their correspondents. It did not succeed, I believe in consequence of losses by the fall of Exch°. and then you must know that exchange operations require decision and will not be managed by a Board of Directors. That this branch is susceptible of being profitably managed I am certain, for I myself made a good deal in this way during my residence in America. In reply to your question about credit with my house I can assure you that we should conduct our operations with you with entire confidence and any bounds we might set to your operations would alone arise from consideration of convenience with respect to advances that might at any time be required. I can with a view to guide you state that as far as fifty thousand pounds it will never be inconvenient to us that you should dispose of if you see any inducement and with previous notice & concert we shall not probably object to go further."

The Bank of South Carolina at Charleston was chosen by Girard as his correspondent. Regarding his rights as a private banker Girard consulted Messrs. Ingersoll and Dallas, who gave a joint opinion.

"It is asked whether Mr. Girard may discount promissory notes and Bills of Exchange in a manner similar to the incorporated Banks, by deducting the interest at the time of discount.

"By an act of Assembly passed the 28th of March 1808

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it was declared that every member of a voluntary association for the purposes of Banking should be individually and personally liable for the debts of the association, any agreement with the creditors to the contrary notwithstanding. But the act of March 19, 1810 declares it to be unlawful for any unincorporated association of persons, to do any act, which an incorporated Banking Company might lawfully do; for any person to be a customer of such unincorporated Bank; and for any person to circulate its notes.

“Any individual Citizen of Pennsylvania may still, however, engage in the Business of Banking, as he may in any other Lawful pursuit. But the Business of Banking, does not consist entirely in *buying* notes, or bills of exchange; but also in *discounting* them, or in other words it consists in lending money upon the joint security of the parties to the notes, or bills of exchange. Hence it is material to consider that by the laws of Pennsylvania it is exacted ‘That no person shall, directly or indirectly, for any bonds or contracts, take for the loan or use of money or other commodities above the value of £6 for the forbearance of £100, or the value thereof, for one year, and so proportionally for any greater or less sum.’ If, then, the Banker retains the interest at the time of discounting a note, the Borrower has the use of £94 only, but he pays for it £6, the legal interest on a loan of £100 for a year.

“This result, however, is to be found in the operations of every existing incorporated Bank of Pennsylvania; in that of the late Bank of the United States; in the operation of the Bank of England; in the operation of the Private Banks of England. And there is no difference in the legal rights of an individual and of a corporation employed in the Business of Banking except where the charter of incorporation expressly introduces a distinction.

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“It has been thus settled in England that Bankers and others discounting Bills and Notes, may only take £5 p. ct. for interest, but also a reasonable trouble, and risque, for making remittances and for defraying incidental expenses. The interest and extra allowance may be included in the sum deducted, by way of interest, at the time of the discount, and in every case it is for a jury to decide whether the transaction is fair and reasonable or colourable and usurious.

“Upon this view of the case we are of opinion that Mr. Girard is entitled to discount Promissory Notes and Bills of Exchange, in the same manner as the Incorporated Banks by deducting the interest at the time of discount.”

This new institution was known as Stephen Girard's Banking House, or more commonly as Stephen Girard's Bank, had a capital of \$1,200,000, soon increased to \$1,300,000, and after the manner of State chartered Banks issued notes payable in specie on demand, and post notes payable in specie thirty, sixty, or ninety days after date.

Girard was now sixty-two years of age, and that there might be no doubt as to what would happen to the Bank in case of his death, he bade Mr. Ingersoll draw up a deed of trust and invited four gentlemen well known in the city to act with his cashier as trustees.

The indenture, dated May 23d, 1812, opens with the statement that Stephen Girard “has singly and upon his own private capital established a Bank of discount and deposit” in the city of Philadelphia; that “he is desirous in case of his death to prevent any delay or inconvenience arising therefrom to any persons, partnerships, Bodies politic and corporate who have deposited, or shall at any time and times hereafter deposit, in the said Bank any sum and sums of money, Bullion or other property either upon cash account or for safe keeping”; and in order that

STEPHEN GIRARD



I promise to pay

FIVE Dollars on demand at my Banking House

No. 124

Philadelphia 3rd Dec 1827

Samuel

CASH

Sept 12/28

BANK NOTE OF STEPHEN GIRARD'S BANK

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all such depositors might, in the event of his death, withdraw their deposits as promptly as if he were alive, he vested in David Lenox, Robert Smith, Robert Waln, Joseph Ball and George Simpson the assets of his bank in trust to pay its debts and depositors immediately after his death.

Writing in June, 1812, after the Bank began business, Girard said to LeRoy, Bayard & McEvers of New York, when informing them of the collection of two drafts of \$12,000:

“Permit me to embrace this opportunity to offer you my thanks for your friendly disposition towards my new Bank Establishment. Be assured that at all times I will do my best to cultivate the continuity of your confidence.

“The Banks of this City do not appear friendly to my Establishment although I take their notes, and have still an account open with the two oldest ones, yet they uniformly refuse to take my Bank Notes but generally receive the checks drawn on my Establishment. I hope that in the course of three months they will be more favorable.”

On the appearance of his notes it became necessary for the four banks in Philadelphia, holding charters from the State, the Bank of North America, the Pennsylvania Bank, the Philadelphia Bank, and the Farmers and Mechanics' Bank, to decide whether or not they would receive them on deposit. Committees were therefore appointed by each, a joint session held, and June 15th a resolution adopted which was, in substance: that if the laws of Pennsylvania did not prohibit, they at least discouraged the circulation of notes of unincorporated banks; that to establish the precedent of receiving as money notes of individuals, or of associated companies not incorporated by the Commonwealth, would be dangerous, “as the practice, once introduced, might be extended to cases

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where there is less solidity and security than in the present instance," and that "the said notes cannot be received, either in payment or on deposit at any of the Banks above mentioned."

As the old year closed and the new opened the Federal Treasury drew nearer and nearer to bankruptcy. Money must be had and quickly, and Congress, still refusing to resort to internal taxes, authorized the Secretary to borrow sixteen million dollars.

No time was lost, and on February 20th, 1813, public notice was given of the terms. Subscriptions were to be received at certain banks in twelve cities on Friday and Saturday, March 12th and 13th. No subscriptions were to be received for less than \$100, nor for fractional parts of \$100. On each \$100 subscribed \$12.50 must be paid down when the subscription was made and a like sum on the first day of each month from April to October, both inclusive. For each \$100 loaned the subscriber was to receive a certificate of 6 per cent stock for \$100 and an annuity of one dollar for thirteen years from the 1st day of January.

A copy of the circular was sent to Girard and March 2d he wrote Gallatin:

"I received yesterday afternoon your letter of the 24th ult^o. covering your circular & contract for the loan of Sixteen Millions. Your request will be attended to. Inclosed is copy of the advertisement which will appear daily in Six of our public papers until the 13th instant inclusive."

Great results were expected, for it was believed that the war, the naval victories, the defeat of Napoleon in Russia and the peace mission would stir the patriotism of the people, and lead to a vigorous prosecution of the war and to a liberal contribution of money. When the books were closed but \$3,956,400 had been subscribed.

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In the book kept at Girard's Bank, under the heading, "Subscriptions made at the Bank of Stephen Girard on the twelfth and thirteenth days of March Eighteen Hundred and Thirteen, to the Loan of the United States of Sixteen Millions of Dollars agreeable to the annexed contract signed by the Secretary of Treasury," are six names written by the subscribers. Girard subscribed \$100,000. The five others, \$22,600.

Money must be had, for the Treasury was all but empty; indeed, on April 1st it was empty. Preparations were therefore made at once for a new offering of the loan.

The books were open from the 25th to the 31st of March, and during this time \$1,881,800 of stock was purchased.

At this new offering \$19,500 was subscribed at Stephen Girard's Bank.

The sum total of subscriptions at the two offerings in March was \$5,838,200. A subscription of \$1,000,000 was made by the Commonwealth of Pennsylvania, but it came after the books were closed and was not then accepted. Again the effort to float the loan had ended in failure, and the Secretary was at a loss where to turn for the needed money when help came from an unexpected quarter.

In the circular stating the terms of the second offering Gallatin had announced that proposals would be received, until April 5th, "from any person or persons," for "themselves or others," for all or a part of so much of the loan as might not have been taken prior to the closing of the books on the 31st of March, and that a commission of one quarter of one per cent would be allowed "any person collecting subscriptions for the purpose of incorporating them in one proposal of one hundred thousand dollars or upwards."

Well aware that the new offering would fail as had the

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first, Mr. David Parish now proposed that the two richest men in the country should join with him in a bid for so much of the loan as might remain untaken on the first of April, dispose of their purchase by soliciting subscriptions from small buyers, and so obtain the quarter of one per cent commission offered by the Secretary to those who collected "subscriptions for the purpose of incorporating them in one proposal of one hundred thousand dollars." With this end in view he visited Mr. Astor in New York and induced him to join with Girard in carrying out the plan.

That Gallatin was consulted and duly informed of the terms that would be offered is quite likely, for, on April 2d, he was in Philadelphia and on that day Mr. Parish sent this note to Girard:

"I have not yet closed with Mr. Gallatin, but am to see him again this morning. He expressed a wish to see you and we will go there together about noon if you please." At this meeting it may be the business was closed. Mr. Astor then came to Philadelphia and April 5th two notes were addressed to Gallatin.

"Sir

"In consequence of the notice given by the Treasury Department, under date of the 18th of March 1813, that proposals will be received by you for the whole, or part of the residue of the loan of sixteen million of Dollars, we beg leave to offer to take as much stock of the United States, bearing interest at six per cent *pr annum* payable quarter yearly, the stock not to be redeemable before the 31st December 1825, at the rate of eighty-eight dollars for a certificate of one hundred dollars, as aforesaid, as will amount to eight millions of dollars, or to the residue of the said loan, provided you will allow us the option of accepting the same terms that may be granted to persons lending money to the United States by virtue of any law

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authorizing another loan for the service of the year 1813, that Congress may pass before the last day of the present year.

“It must be further understood and agreed to that one quarter per cent will be allowed us on the amount to which the present proposal will be accepted.

“With regard to the payment of the instalments on the amount to be loaned by us, we shall expect to enter with you into such arrangements as will be mutually accommodating.

“We are with high regard, sir, your most obedient servants,

DAVID PARISH.

“STEPHEN GIRARD.

“The Hon. Albert Gallatin, Esq., Secretary of the Treasury.

“To be paid at Stephen Girard’s bank.

“Stephen Girard.

“For self and David Parish.”

Mr. Astor wrote the same day:

“Sir,

“I will take for myself and my friends in New York two millions and fifty six thousand dollars worth of the loan authorized by Congress in February last, receiving six per cent stock at rate of eighty-eight dollars, money, for one hundred dollars of six per cent stock, payable at New York, by instalments, as proposed by you, or as may be otherwise agreed on. I understand that in case government should make another loan during the year, I am to be placed on as good a footing as the lenders of money or contractors, for the loan, will be. I also understand that I am to receive the quarter per cent which is to be paid to persons procuring subscriptions to the present loan.

“I am very respectfully, sir, your obedient humble servant

“John Jacob Astor.

“The Hon. Albert Gallatin Secretary of the Treasury.”

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April 7th Gallatin replied, to Parish and Girard:

“Your proposal for lending seven million and fifty-five thousand eight hundred dollars to the United States in part of the sixteen millions loan, is accepted.

“You will please to deliver, before the 15th day of this month, to the cashier of Stephen Girard’s Bank, or such other where, according to your proposal, the payments are intended to be made, the names of the persons embraced in your proposal, together with the sums respectively payable by each. Each will be entitled to receive in payment, at his option either six per cent stock, at the rate of eighty-eight per cent, or six per cent stock at par, and a thirteen year’s annuity of one and a half per cent of the money loaned; which option must be made at the time of paying the first installment. * * ”

The amount thus bid for was \$10,056,000, which, added to \$1,050,000 bid by other parties, and to the \$5,838,200 subscribed at the two offerings in March, made \$16,944,200, or \$944,200 more than could be secured. Taking the excess from the \$8,000,000 bid by Girard, \$7,055,800 was left, the amount allotted him by Gallatin.

A paper headed, “A list of subscribers to the Sixteen Million Loan, whose deposits will be made in Stephen Girard’s Bank,” shows that “L Clapier’s List” amounted to \$832,000; Biddle & Wharton’s list to \$783,300; William Overman’s list to \$398,500; William Bell’s to \$280,000, and that of David Parish to \$666,000, in all \$2,950,800. All these and other subscriptions made at the Bank were entered in a book marked “Subscriptions at S. Girards Bank to the loan of XVI Millions,” from which it appears that the gross sum subscribed by April 15th was \$5,347,800. Of this Girard and Parish each subscribed \$1,191,500. From whence the remainder came does not appear.

The Banks in the city still refused to take his notes and

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sought, by the use of Treasury drafts drawn on Stephen Girard's Bank and deposited with them, to strip his Bank of specie. This was contrary to agreement, as shown by a letter to Mr. William Jones, Acting Secretary of the Treasury, written May 11th, 1813.

The letter was addressed to Mr. Jones because Gallatin was then on his way to St. Petersburg as one of the three commissioners lately appointed by the President and charged with the duty of negotiating peace with Great Britain.

"At the time Mr. David Parish and myself contracted with Albert Gallatin, Esq, Secretary of the Treasury for the residue of the Sixteen Millions Loan, it was agreed that the payments thereof should be lodged in Stephen Girard's Bank to the credit of the Treasury of the United States, and that the Commissary General and Agents of the United States who should receive drafts &c on any one of the Banks of this city, would be directed to open an account in said Bank to the amount of said drafts &c, and to draw checks thereon whenever public service would require it.

"Previous to Mr. Albert Gallatin's departure for Europe, he informed me that the superintendence of the Treasury department was under your care, and after having desired me to communicate you the understanding upon which the residue of the Loan was completed, he requested me to forward monthly &c to the Treasury of the United States a statement of the affairs of my Bank which will be strictly attended to by Mr. George Simpson, Cashier of that Establishment.

"The situation and disposition of our Enemy in our Bay and River is very alarming. I have several ships in the port with 28 fine Swedish guns, ten of which are Six Pounders and Eighteen Four. I will lend them and give

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my services gratis for the defence of our country provided expenses, losses & damages are reimbursed to me.”

Secretary Jones replied:

“In answer to that part of your letter of the 11th instant, which relates to the manner of drawing out and applying to the service of the public, monies deposited in your Bank, I beg leave to inform you that the agents of the Navy Department have been already, and those of the War Department will be immediately, instructed to open accounts with your Bank for all sums received in drafts upon it, and their payments will consequently be made by means of checks drawn in favor of the persons to whom those payments are made, upon your Bank in the manner you mention.”

“This letter,” was the reply of Girard May 24th, “will be handed to you by my particular friend Mr. David Parish who intends to visit your city. That gentleman having been extremely active in procuring subscriptions &c, &c for the residue of the Sixteen Million Loan, he is well acquainted with every circumstance relative thereto, should you wish to receive any information on that subject permit me to refer you to him.

“As respects my Banking business a statement of the Affairs of that establishment will be sent you on the 31st inst.”

Despite the assurances of Secretary Jones, the Bank of Pennsylvania now presented a Treasury Draft and drew \$15,000 in specie. Thereupon Girard, May 25th, 1813, wrote the Secretary:

“It is extremely painful to me to trouble you again on the subject of non-compliance of the orders which no doubt have been given to Agents of the United States who receive Treasury Drafts on my Bank. That Establishment this day paid to the Bank of Pennsylvania a Treas-

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ury Draft of the 18th instant favour of William Linnard, Depy Quarter-Master General for \$15,000.”

Girard now in turn made a heavy demand on the Bank of Pennsylvania for specie, and May 28 wrote Mr. Parish, then in Washington:

“Having reason to suspect that the Bank of Pennsylvania was collecting Checks and Treasurer’s Drafts on my Bank on the 25th instant I requested Mr. Geo. Simpson to send there One Hundred Thousand Dollars of their Notes, which were sent by Mr. Roberts to whom they offered in payment the following.

C. Irvine, May 21	\$35,000.00
Tr. U. States, 18th, fav ^r Leonard	15,000.00
Bk. of America, May 14	43,709.6
Trustees of the late Bk. U. S. (notes)	280.00
Ab. of S. G. Bk. notes	3,000.00
	<hr/>
	\$96,989.6

“Being much displeased at the conduct of that Bank, I requested Mr. Simpson to apply there for an additional sum of Two Hundred Thousand Dollars. I do not intend to embarrass any one of our Banks, but as they have agreed among themselves not to take my notes, it is not unreasonable to suppose that I will be so accommodating as to retain theirs as a Relick, and to turn out the solid means of my Banking Establishment, particularly at a moment when prudence dictates that I should at all times have sufficient Specie in my Bank to meet the debts of that Establishment.

“On the 25th instant I simply informed Mr. Wm. Jones, acting Secretary of the Treasury, that a Treasurer Draft for \$15,000 on my Bank in favour of the deputy Quarter Master had been lodged in the Bank of Pennsylvania. Should you find that some of the Banks of this City have wrote to Washington on the subject of my

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calling on them for specie, please explain that business as you will judge advisable. Indeed it is not my intention to retaliate on those Banks, my sole object is to conduct the operations of mine with that degree of prudence which will merit the continuity of the confidence which my friends and the Public have placed in that Establishment.

* * * * *

“If you have an opportunity to converse with the President of the United States, and with the Secretary of War, please to say something respecting the conditions upon which you and me have taken the residue of the Loan. If the Funds resulting thereupon are constantly taken from my Bank to be lodged in others, it will seriously derange my operations, particularly at a moment when money men who expect a new Loan is wanted, will not be disposed to purchase stock from U. S.”

The Bank of Pennsylvania now complained to Secretary Jones, who wrote Girard a letter not found among his papers. This Girard answered May 29th.

“I am just honored by your Letter of the 27th inst, and I am extremely sorry to observe that informations unfavorable to me, have been lodged with you. My object is not to embarrass the Banks of this City. But as they have agreed among themselves not to receive my notes, I have judged it advisable to exchange a part of theirs in my possession, for some of the specie which they have, in several instances, drawn out of my Banking Establishment.

“I will not trouble you with the detail of the treatment which I have received from the Banks alluded to; I trust that time and future circumstances will point out the one whose conduct merits the approbation and support of Government.”

By the same mail Girard wrote to Mr. Parish:

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"I have just received a letter from the Acting Secretary of the Treasury of the United States. As you are a competent Judge I here enclose you a copy of said Letter with my answer thereto.

"It is highly probable that the Banks of this city have jointly made a dark representation to Mr. William Jones. Should you have reason to believe that Mr. Alex^r Dallas is friendly to my interests Please to communicate to him the whole or such parts of the copies alluded to, as you will judge advisable, requesting him at the same time to endeavour to impress the Secretary of the Treasury that my intention is not to embarrass the Banks nor to retaliate on their improper conduct towards me, but merely to manage the operations of my Banking Establishment conformably to general Rules.

"As it respects my drawing specie out of the Vaults of our City Banks, it results from Banking operations. Whenever any of those Banks has Bank and Post Notes of mine, checks, drafts, or other Credits on my Banking Establishment, they call there for payment, and generally take away the specie, unless I have their own notes to give them. Why should I not (have) the same privilege, when I have a similar Credit on them? Although I believe that I am correct, yet wishing to avoid displeasing the acting Secretary of the Treasury, I have decided to suspend the drawing of specie."

The result of it all was that in June the banks began to take the notes of Stephen Girard's Bank. But his troubles were not ended.

The suggestion of Mr. Gallatin, when seeking the loan from Girard's Bank, that if made "it would have a tendency to prevent the Legislature of Pennsylvania from taking measures to arrest the progress of Mr. Girard's Bank," meant, in plain language, that the administration

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would use its good offices to effect that end. The loan was not made and in 1814 the Legislature attacked his Bank.

The failure of the Federal Government to supply the people with silver small change sufficient to their wants, led individuals and unincorporated associations to seek to make profit by issuing checks and small notes for sums under a dollar to be used as currency. To put an end to the evil of this practice the Legislature of Pennsylvania in 1810 forbade any unincorporated association to engage in the business of banking and for any individual to be a customer of such or circulate its notes. The law did not forbid any individual engaging in the business of banking, for as yet no one had ever established a private bank in Pennsylvania. The first man to do so was Stephen Girard. That the Legislature might go further and forbid private banking was not unlikely, for the State was a shareholder in the chartered Banks and much concerned in their profits. In the general banking act of 1814 it did forbid private banking.

For the provisions of the bill in general Girard cared nothing. The part which concerned him was Section 11, which provided, that after January 1, 1815, all associations, all and every person or persons, all corporations which should issue orders or notes payable to bearer in the manner of bank notes, without being incorporated as a banking institution according to law by a special act of the Legislature, should be considered unincorporated and unlawful.

Against this he protested and early in January Messrs. Dallas & Ingersoll prepared a memorial to be sent to the Legislature and Girard wrote Governor Simon Snyder:

“On the 23d of May 1812, I had the honor to communicate to you my intention to establish a Bank, which

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commenced its transactions in June following and has ever since continued its operations. But owing to some misrepresentations, unfavourable dispositions on the part of some members of the Legislature of Pennsylvania having rendered necessary that I should send a memorial to the Senate and House of Representatives, I take the liberty to address you, under this cover, a copy of said memorial for your persual.

“Permit me, on this occasion to solicit your protection as far as you will judge lawful and reasonable.”

The Memorial, dated January 10th, 1814, was addressed:

“To the Senate & House of Representatives of the General Assembly, Commonwealth of Pennsylvania.

“The memorial & Remonstrance of Stephen Girard of the City of Philadelphia, Merchant & Banker.

Respectfully sheweth

“That your Memorialist has read with surprise & regret a Bill, entitled, ‘An Act regulating Banks,’ now depending before the House of Representatives, in which principles are suggested and regulations contemplated, that cannot fail, in their operation, if sanctioned by the Legislature, to deprive him of the immediate enjoyment of his rights; and to impair the constitutional security of every citizen, for Property & credit the Legitimate (although not constant) rewards of industry & integrity. Thus the ninth section of the Bill directs, that the County Commissioners shall annually transmit to the State Treasurer a list of ‘*individuals*, or corporations, that issue orders or notes payable to bearer or order in the manner or nature of Bank Notes.’ The tenth section of the Bill directs the State Treasurer to Publish the list so transmitted, annually, particularly specifying such banks ‘as are incorporated and lawful, and such as are unincorporated and unlawful.’ The

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Eleventh Section declares, that 'all orders & notes payable to bearer, or order, in the manner or nature of Bank notes, issued by any *individual*, or corporation, *not incorporated* for banking purposes, by a special act of the General Assembly, shall be absolutely null & void; and all notes taken by & discounted, and all contracts made with such unlawful & unincorporated Banks, individual, or corporation aforesaid, shall in like manner be null & void.' And lastly the Twelfth Section of the Bill declares, that 'all and *every person or persons* that shall issue orders, or notes, payable to bearer, or order in the manner or nature of Bank notes shall be deemed an unlawful Bank, within the preceeding section.'

"That your Memorialist being an Established Banker in the city of Philadelphia, and conducting the business of Banking as an individual upon his own private capital and credit, & for his own exclusive benefit and emolument, with all becoming deference respectfully, remonstrates against the adoption of a project, which obviously confounds things lawful with things unlawful; which places the civil rights of an individual citizen, derived from the Constitution, upon the same footing with the artificial rights of a Corporation created by Legislative grant; and which will inflict, with all the severity of an *ex post facto* law, a heavy penalty upon your Memorialist (the amount probably of his preparatory expenditures) for having engaged by lawful means in the prosecution of a lawful object."

The memorial then goes on to tell why and when Stephen Girard's Bank was established; that it was the exclusive property of the Memorialist; that accommodation had been freely granted to every citizen fairly entitled to credit, whether mechanic, merchant, farmer or manufacturer; that it had been found an efficient instrument in

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procuring subscription to the Sixteen Million Loan, that he invited the strictest inquiry, under legislative authority, into the practices of the Bank, and that he remonstrated against the Bill—

“1st. Because the Constitution of Pennsylvania guards as an inherent & indefeasible right ‘the right of acquiring, possessing & protecting property.’ But the Bill proposed to the Legislature, (in the precedent, as in the immediate effect) will operate as a restraint on the industry and enterprize of a private citizen; will diminish the innocent means of acquiring property and will even take from the possession of property some of the fairest opportunities to enjoy it.

“2d. Because the Constitution of Pennsylvania declares, ‘that no *ex post facto* law, nor any law impairing contracts shall be made.’ But the Bill proposed to the Legislature will authorize the State Treasurer to denounce in the Newspapers, a private citizen as a criminal, for following an occupation which was lawful at the time that he engaged in it: it will authorize an executive officer publicly to stigmatize and condemn as unlawful, the business of a private citizen without an accusation upon oath, without a defense upon hearing, and without a remedy upon appeal; and after a day arbitrarily prescribed (the first Monday of June next) it will impair, annul and defeat contracts, which violated no law when they were formed, and which, by their own terms, were calculated to endure beyond the day prescribed.

“3d. Because the power of Government relative to corporations, affords no analogy to justify an interference with the industrious and honest pursuits of an individual citizen, whose rights and privileges flow from a constitutional source, equally independent of legislative control and patronage. The very existence of a corporation

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depends, indeed, upon legislative grant. The faculties of acting by a seal; of suing and being sued by an artificial name; of acquiring and possessing real and Personal estate; of transmitting the Corporate character and property, by succession; and above all, of confining the pecuniary responsibility of the individual members, for themselves & for each other, to the joint Stock; are endowments essential for a corporation, which the Legislature may either grant or withhold, but which an individual citizen has neither the occasion to acquire, nor the capacity to enjoy.

“4th. Because a Legislative attempt, to deprive an individual citizen of the right and privilege of employing his capital and credit in the business of banking, upon the responsibility of his whole fortune; while corporations are authoritatively established, or associations are openly formed for the same purpose, upon the limited responsibility of a joint stock; would probably be regarded by every intelligent & candid mind, as a measure impairing at once the security of the Public and the rights of the citizen. But when it is also observed, that charters of incorporation are, generally, granted for a price, and that the Government itself sometimes becomes the principal stockholder of an incorporated Bank; it will not comport with the respect which is avowed and felt, for the general Assembly of Pennsylvania, to suppose (whatever might be the complexion of the transaction) that the rights of an individual citizen will ever be sacrificed, merely to secure a lucrative monopoly for the Public, and for partners of the Public, in the business of banking.

“5th. Because an individual citizen, engaged in the business of Banking, is liable, like any other member of the community, to contribute from his occupation and estate, to the support of the Government, Federal and

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State. The late acts of Congress impose, indeed, a tax upon the operations of Banks, whether they are conducted by individuals, by companies or by corporations. For all the exigencies of the City and county police, the Memorialist pays a full proportion of the supply: and whenever the policy or the wants of Government shall require a State tax, no citizen will more cheerfully answer the demand. But he can never cease, firmly, though respectfully, to remonstrate against the enactment of a law, which shall deprive him (and perhaps him alone) of the benefits of a lawful occupation; or impose greater restraints upon his business, in the employment of his industry and capital, as an individual, than upon the business of the farm, or the Counting house, the manufactory or the forge."

Copies of the Memorial were sent to members of the Senate and House, and their good offices asked in behalf of the effort to defeat the Bill. Mr. Dallas wrote to the politicians of influence, and Mr. Charles Biddle presented the Memorial to the Senate.

"This morning," January 13th, he wrote, "I presented your memorial against the Bill for regulating Banks. It is so well drawn that I believe it will be of great service and I was glad to hear from Mr. Morgan that it will be published. Everything in my power will be done to oppose a bill that will in my opinion be injurious to the State. I do not believe it will pass the Senate; it will give me pleasure to have any opportunity to serve you; I wish you may be able to read this scrawl."

Mr. Benjamin R. Morgan, who went to Harrisburg to lobby, wrote, January 14th: "Immediately on my arrival at noon on Wednesday your letter was left by me at the Governor's and on Thursday your memorial was presented in the Senate and house of representatives. A copy of your pamphlet having been previously given to each

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Senator and fifty distributed among the Representatives, each member of both houses has also this morning been furnished a printed copy of the memorial.

“The general banking bill was agreed to without any material alteration in a Committee of the whole house of Representatives before my arrival and the Bill as reported by the Committee has been under discussion in that house ever since, and when they adjourned this morning they had proceeded as far as the 7th article of the 7th Section without making any important changes.

“The memorial and pamphlet I have reason to believe have made a serious impression on many of the members. It is not, however, to be expected that the progress of the bill can be arrested in the house of representatives or altered into any just conformity with the Constitution, justice and your interests & wishes.

“Of the Senate I entertain better expectations and am daily, nay hourly, with the members with whom no efforts should, and none I can make during my stay shall, be spared.

“A list of its members is sent you with a mark at the end of the names of those from whom I have reason to expect a correct judgment and vote on the subject. Some of them will probably disappoint me, but as many of those whom, from not having had an opportunity of conversing I have not marked, will be likely to act as they ought, I entertain hopes we shall be able to arrest the apprehended evils.

“If you know any of the connections of the Senators who would be confided in by them, and could induce them to use their influence by writing, or otherwise, do not omit to have it done if in your power. Thus Mr. Poe (Mr. James Poe of the 15th Senatorial District, composed of Franklin County, was meant) is connected with and relies

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much on Mr. George Latimer. Mr. Brady (Senator James Brady of Westmoreland County, the 16th District) deals with many of the Market Street and other dry goods merchants, and altho' I rely on both these gentlemen no practicable means should be omitted of securing their votes and influence. The principal speakers and most prominent men of business whom I have designated by a stroke of my pen beneath each of their names I shall be, and you ought to be if you have any opportunity, most attentive to impress with correct views."

In the House the Memorial was presented by Mr. John Connelly, who wrote, January 14th:

"I have received your favor of the 10th by Mr. Morgan on the 12th & on the 13 presented your memorial. I agreed with Mr. Peacock to print it in such form that it may be bound up with the Journals of the house, which was done & one delivered to each member this morning in the house. That you may see the form I send you one enclosed. The pamphlets have also been delivered to the members of both Houses. So far all things have succeeded according to my wishes, and agreeable to your request the pamphlets and your remonstrance have come precisely at the time they are most wanted for I expect we shall decide upon the principle tomorrow. All the lawyers in the house are in favor of the bill; yet they are obliged to acknowledge the memorial a masterly performance. Mr. Duane has with me taken a decided part in favour of an individual citizen on constitutional principles. How the business will terminate is very doubtful. I shall write you again."

All doubt was soon removed. The Bill passed the House, and as soon as he heard of it Mr. Dallas wrote the Speaker of the Senate, Mr. Presley C. Lane, January 15th:

"The Banking Bill has, I am told, passed the House of

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Representatives, with all its hostility towards private bankers. I am sorry for it, because I think the restraint upon the Industry, Credit and contracts of individuals, is not only unjust, but unconstitutional. That opinion is entertained by many Lawyers here, and in other parts of the Union; and I am afraid, that if the Bill becomes an Act of the General Assembly, its validity at Law, will be disputed and denied. I am persuaded that the attack on private rights does not arise from impure or personal motives; and much less from any disposition to oppress the only individual Banker in our State, whose enterprise and public spirit ought to command general esteem. But is it not strange, that when the evil of Banking proceeds entirely from associations and Incorporations acting on a limited responsibility that such Institutions should be patronized; while the private Banker whose whole fortune is at stake, and whose credit cannot fail to find its natural level, is at once deprived of his lawful occupation? The Private Banker cannot be Incorporated, in the Sense contemplated by the Bill; and the effect will be to declare that there may be as many Associations for Banking as the Legislature pleases. I beg you, my dear Sir, to analyze the principle of such system, upon the score of policy, as well as constitutionality, before you give it your sanction.

“Mr. Ingersoll and myself are the counsel of Mr. Girard, but I am sure, that you will not suppose either of us capable of acting on that account with insincerity towards you or any other member of the Legislature. When, therefore, you are told, that we have deliberately formed the opinions, which we expressed in Mr. Girard’s Memorial, you may be able to refute those opinions, but you will give us entire credit for entertaining them. In taking the Liberty of calling your attention to the subject, I have more regarded the Public honor and Interest, than

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any consideration which my professional or personal connection with the interests of Mr. Girard could suggest.”

Mr. George Latimer wrote to Mr. James Poe, January 17th:

“Having seen in our Newspapers a Bill now pending in the House of Representatives for establishing a great number of Banks in this State, I intended to write you on that subject, and will in a few days do so. * * * *

“Now I confine myself relative to that Bill, just to say, that my good friend Mr. Girard has put into my hands a copy of the Memorial he has presented to our Legislature against the Bill. So far as it is intended to impose penalties on an Individual, a Single Citizen, with only his own means and credit to enter into the business of Banking, and that the arguments in that Memorial are in my mind conclusive to prove, that it is impossible correctly and constitutionally in any manner at all compatible with the private rights of every citizen, for our Legislature at all to interfere with the only Banking Institution in this Commonwealth or in the United States, upon the Capital and Credit of a Single Man. The arguments alluded to were not introduced to my mind by seeing Mr. Girard’s memorial, but on the contrary have been, ever since the Bill appeared, a subject of much conversation, and I will add, that I have not only not heard any argument in favour of the Bill, so far as it refers to an Individual, but a strong expression of opinion that all such proceedings were highly improper, and indeed even dangerous, & this expression of opinion is not at all confined to party politics, or party, or interested persons, but with those who however they differ in common politics, have only in view the honor, the justice and the dignity of Pennsylvania.

“For myself, having much of the pride of a Pennsyl-

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vanian, I sincerely wish that, let the rest of the Bill issue as it may, so much of it will be stricken out as applies to an individual with his own capital and his own Credit entering into Business as a Banker, for sure I am that any interference by the Legislature will in the end result unfavourably to its respectability."

Early in February the bill, without important amendment, passed the Senate Committee of the Whole, whereupon Mr. Morgan wrote that when the bill came before the Senate an effort would be made to exempt individuals from its provisions. Should this fail, as he expected it would, an attempt would be made to suspend the provisions as to individuals till the next session of the Legislature. Should this fail, the offer of a bonus would then be tried.

February 9th the bill was negatived. On the 10th a motion to reconsider was negatived, "and thus ends this mighty business," wrote Mr. Connelly. Girard replied that he was much pleased to hear such good news, but feared "that those in favor of Banking Speculations will by their intrigue induce a reconsideration." He was not mistaken, and on February 15th Mr. Connelly wrote:

"The Senate have this day reconsidered the bank bill, taking advantage of four of the members being absent, that is Messrs. Charles Biddle, Newbold, Barclay & Weaver." When reconsidered in Committee of the Whole an amendment was made, Mr. Morgan wrote, providing for "a suspension of the penalties of this act as it respects you until next year. This was the most I ultimately thought it prudent to insist on in your behalf and this was on motion of Mr. Burnsides, made at my request, agreed to without opposition." Mr. Connelly wrote that he was sure the bill with all its imperfections would pass the Senate, and that all that could be done for Girard was

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to permit him to go on with the Bank till the first of January, 1815, under the pretext of giving time to close the concern. Should the bill pass, the violent spirit of the Legislature might subside and at the next session of the Legislature his object might be attained.

In this shape the bill passed the Senate, was returned to the House, went back to the Senate and thence to the Governor, who returned it with his veto. Both branches of the Legislature passed it over the veto. "Agreeable to the order of the day," wrote Mr. Connelly, March 26th, "the house took up the General banking bill & passed it by a majority of two thirds & the senate has done the same, hence this bill is now a law contrary to my expectations and the objections of the Governor. This has been effected by the influence of moneyed associations against the rights of the people. I consider this as an entering wedge to a system that will change the present order of things & bring disgrace upon the State."

The Legislature of Pennsylvania was not the only body that made trouble for Stephen Girard's Bank. Congress in its effort to raise money for war purposes, in August, 1813, imposed stamp duties on notes of banks and corporations, and in the second section of the act provided, that in respect to the stamp duty on any of the notes of banks or corporations it should "be lawful for the Secretary of the Treasury to agree to an annual composition in lieu of such stamp duty" of "one and a half per centum on the amount of the annual dividend made by such banks to their stockholders." Stephen Girard's Bank issued notes but had no stockholders, and distributed no annual dividends. A duty must be paid on its notes, but must each note be actually stamped, or could he compound with the Secretary of the Treasury?

Finding he could not, a Memorial was sent to Congress.

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The Memorial set forth that the act of August 2d, 1813, imposed a stamp duty on notes issued by any banker or bankers, as well as by any bank or company incorporated or unincorporated; that the second section provided "that in respect to any stamp on any of the notes of the banks or companies aforesaid, now established or which may hereafter be established within the United States, it shall be lawful for the Secretary of the Treasury to agree to an annual composition in lieu of such stamp duty with any of the said banks or companies, of $1\frac{1}{2}$ per centum on the amount of the annual dividend made by such bank to the stockholders respectively" and that Girard had offered to pay the duty of $1\frac{1}{2}$ per centum on the annual profits of his bank, and that the offer had been declined because the second section made mention only of banks and companies, not of a banker or bankers, and because it mentioned *dividends*, not profits. So construed, a banker with a capital of one million dollars and issuing bank notes to the amount of one million dollars would be forced to pay a duty amounting to \$10,000, while an incorporated bank, or a private company of two or three private bankers, with the same capital and issuing the same amount of notes would have to pay periodically but \$1500 on the customary annual dividend of ten per cent.

The Memorial further set forth that the first section of the act imposed a stamp duty on any promissory note, or notes issued by any Bank, Company or banker; that the 8th section provided that no bank or company which did not compound for the stamp duty should issue any bank bill or promissory notes unless on paper stamped and whereon the required duty had been paid; that the 12th Section declared that all stamped paper wanted for the purposes of stamp duties, save only paper for Bank Notes, should be supplied at the cost of the United States by the

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Secretary of the Treasury; that in order to comply with the law the memorialist had sent through the Collector of the District to the Commissioner of the Revenue, sheets of bank paper to be stamped; that some were filled out and some were blank; the former had been returned but the latter had not been stamped and returned; and that independent of all this, it was apparent, from the texture and quality of the bank note paper, that the stamp impressed would soon fade away, thereby probably causing great injustice to individuals.

The memorialist therefore prayed that the act be so amended as to permit the Secretary of the Treasury to compound for stamp duties in the case of private bankers.

Mr. Charles J. Ingersoll presented the Memorial to the House, and at his suggestion Girard wrote to Mr. John W. Eppes, chairman of the House Committee on Ways and Means, and Michael Leib, chairman of the Senate Committee on Finance, and sent Mr. Benjamin R. Morgan from Harrisburg to Washington to watch over his interests. Mr. Leib gave assurances of careful consideration; Mr. Eppes replied that "the committee have decided to report a Bill for your relief." In due time it was reported, and passed by the House on March 12th, but the session closed without any action by the Senate.

CHAPTER X

IN WAR TIME

BESIDES investing the funds in the hands of the Barings, Mr. Curwen was to examine into the situation of the *Helvetius* at Carlsrona, report on the prospect of obtaining satisfaction for the claim on Sweden, and find out what had become of the cotton at Riga. The hemp on the *Helvetius* was finally sold in London, "to be delivered alongside of any vessel" that might be sent to Carlsrona to receive it. The price was £49 per ton, or £7700 in all, a loss of five per cent. The iron and the dry goods were not sold.

This piece of business disposed of, Mr. Curwen went on to Gothenburg and then to Stockholm, where he sought payment for the cotton sequestered at Stralsund.

"Mr. Speyer presented me to Count Engestrom the minister for foreign affairs. He talked to me for half an hour about the Stralsund Business. He said a great deal about the poverty of the Government; that the property was sequestered at the instance of Bonaparte at a time when they could not help themselves, that it would give him great pleasure to see it paid &c, &c. He concluded by saying that if I would make a communication to Mr. Speyer to be sent by him to the foreign office, he would give me a letter to Baron Wetterstedt the Chancellor who is now on the Continent with the Crown Prince. He observed that Baron Wetterstedt would present me to the Crown Prince with whom it rested to settle my claim. In the course of Count Engestrom's conversation he hinted that as the sequestration was made *at the instance* of the French government, Sweden was not so much to blame & that we ought also to look to France. I replied to him

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that the best understanding existed between the two Governments America & Sweden, that it mattered not by whom the sequester was made, that Sweden was responsible for the safety of American property while within her dominion, that the proceeds of the cotton were received by the Swedish government, that you, finding Mr. Speyer could not obtain redress, had complained to your Government, that I had come to Sweden principally on that account, that the smallness of the claim ought to prevent any delay in settling the account & that I hoped something would be done towards liquidating the demand. That we could on no account look to France for payment of property *received* by Sweden. * * * *

"I will present my letters to the Crown Prince & to Baron Wetterstedt. But I fear I shall not be able to do anything. Can it be reasonably expected that the Crown Prince who is at the head of an army of 100,000 men will take time to think of the claim of an individual. I fear he would not."

From Stockholm Mr. Curwen went to Carlsrona.

"Fearing that nothing could be done with the sheetings, Ducks, &c which compose the remainder of the cargo, before the winter sets in I petitioned the King for permission to send it to Gothenburg either by Land or by Water, the property to be shipped from that port on paying the same transit duty as if shipped from this port."

In September the permission came. "When I got that document I determined on coming here (Gothenburg) in preference to going over to Stralsund for the following reasons. I concluded that a visit to the continent ought not to be made while there was a chance of doing anything more to advantage in any other quarter. The Crown Prince was every day engaged in battle. It could not be expected that any other business would engage his attention. * * *

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“My permission to bring *over the Helvetius cargo* by land will be of great consequence. It is the only one that has been obtained. Those goods will sell well here in the course of the winter, & can be easily brought here on a deep snow.” Before the deep snow came he wrote:

“Events of great importance both to the political & commercial world have taken place on the continent. Bonaparte was completely defeated on the 18th at Leipsic. The King of Saxony was made prisoner. Bavaria & Wurtemberg have joined the allies. Bremen & Cassel have been taken by the Russians. The Head Quarters of the Crown Prince were at Hanover by last accounts. Denmark will undoubtedly be obliged to make peace. In a few weeks the continent will be open from the Weser to Petersburg. I should not be surprised to see Holland liberated before long. These events have raised the price of colonial products in England & she will reap the benefits arising from these changes while we are locked in our ports.”

Such letters as Girard received from Europe during the early months of 1814 are full of political rather than commercial news. From Bordeaux Mr. John A. Morton wrote on December 30th, 1813:

“This country presents a much more distressing picture (than the United States), being surrounded by numerous & powerful enemies, & its means of defence being greatly diminished by the calamities resulting from the extraordinary defection of nearly all its allies in the north. The resources of France are still immense, & might resist every attempt of the enemy on her territories with success, if the public spirit was not so much discouraged & paralyzed, by the sudden transition from great military triumphs to disastrous defeats. The recruiting service is extremely active, & numerous armies will be assembled before Spring, but they cannot have time to become inured to war.

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“I send you the Emperor’s Speech on opening the Legislative Body, & you will see that Overtures have been made & accepted for Assembling a Congress at Manheim to treat for Peace. Notwithstanding some difficulties & delays which appear to be the work of England, I hope negotiations will soon commence. In the meantime, it appears that the allies have violated the Neutrality & Territory of Switzerland and crossed the Rhine at Bale & Schaffhausen. I cannot ascertain whether their plan is to attack France on a point where she is unprepared to meet them, or to endeavour to proceed against Italy. Lord Wellington’s army is before Bayonne, but its progress is extremely slow, the French army notwithstanding its immense inferiority in numbers, disputing every inch of ground with obstinate Bravery. In this distressing state of things our Commerce & almost every branch of industry are suffering most severely. Colonial and American produce have almost no value.”

On a duplicate of this letter, under date of January 27, 1814, Mr. Morton continues:

“No amelioration has taken place either in our political or commercial situation. The Enemy has made some progress on our Northern & Eastern frontiers, but great exertions are making to oppose & repel the invasion. A detachment of the Austrian army was before Lyons on the 19th instant, but finding resistance would be made to their entry, they retreated in the night. I hope that interesting city which has suffered so cruelly of late by failures, may not be exposed to the calamities & ravages of war.

“American & colonial produce cannot be sold at any price, & the distress of the commercial community exceeds all description. New & immense failures are daily breaking out in Paris, which greatly aggravates our other calamities. God only knows where the evil will stop.”

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February 8th Walter & Miller wrote that the ship *Ann Alexander* had arrived at Boston with advices from Liverpool as late as December 25th, which were:

“That a congress is to be held at Bale for a general Peace. The Emperor of Russia & King of Prussia were for following up their victories with France. On the other hand the Emperor of Germany said, that the Boundary of Ancient France was the agreed limits. This led to a Messenger to the French Emperor, proposing Terms of Peace, to which he consented, & in his address to the Senate he says, ‘I consent to the preliminaries for a General Peace in anticipation of the wishes of the Families of the Nation.’”

From Bayonne Wellington advanced towards Bordeaux, filling the citizens with alarm described by Madame Capeyron.

“The enemy is at our gates. Failure to receive news from Paris in spite of the mails only serves to confirm our well founded suspicions. The hasty departure of the paymaster from Bordeaux and that of the National Treasury from the said place, as well as of the public authorities and tribunals, is enough to convince us that the Spanish & English are coming to our city, which they have approached within 6 or 8 leagues. Everybody is leaving the city, taking only what is most valuable and leaving houses and other property to their fate. It is pitiable. Matters have come to such a pass that the police authorities have been forced to levy a toll for crossing the river. The price of transportation by carriage is exorbitant. The citizens are fleeing in every direction, but most of them towards Perigueux, and Bordeaux is becoming deserted.”

“On the 12th of March a part of Wellington’s Army entered Bordeaux,” wrote Mr. Curwen, “where the

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people at once hoisted the white cockade and declared for the Bourbons. The inhabitants of that city have long been the victims of Bonaparte's despotism. Whether the disaffected will succeed in a counter revolution remains to be seen, but if the same sentiment that has so openly been avowed at Bordeaux, is general throughout France, the reign of Bonaparte will soon be at an end, & peace will be restored to Europe."

After the occupation of Bordeaux Madame Capeyron wrote: "It has fallen into the power of Louis XVIII. All I can tell you of my own knowledge is that the expectation of a real calamity which we believed would overtake us on the arrival of the English and Portuguese which was to be nothing less than death and pillage, has not happened and that everything passed off without any disturbance whatever. The only hardship suffered because of their entrance was a rise in the price of animal food, caused chiefly by the difficulty of transportation and of communication with the small towns and county districts that supply us with these articles. Even at this moment prices have not yet returned to their normal level. As for news, it is so contradictory and changes so much between morning and evening that one cannot find out anything about the present condition of the army in any part of the country."

The news soon arrived and Madame Capeyron made haste to tell it.

"I reopen my letter to tell you that Paris has been taken in the name of Louis 18. Bonaparte has abdicated his crown and they have allowed him an annual income of six million. The members of the Senate have all been made peers of France and their salaries are to be continued."

A year had now passed since the British established

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their blockade of the Chesapeake and Delaware Bays. So rigorously had it been maintained that not a frigate and but a few merchantmen flying the flag of the United States came in or went out of any port. Not one came to Baltimore during 1813. At Boston, not yet blockaded, forty-four ships cleared for foreign ports during December; only five were American owned. "Our coasts," said a Bostonian, "are not navigable to ourselves though free to the enemies and money making neutrals; our harbours blocked; our shipping destroyed or rotting at the docks; silence and stillness in our cities, grass growing on the public wharves."

The shores and the towns along them, however, save at Lewes and on the Chesapeake, had been little troubled.

After the defeat of Napoleon at Leipsic in 1813, the surrender of Paris to the Allies in March, 1814, and the abdication of Napoleon in April the situation of Great Britain changed completely. She was now free to give serious attention to her war with our country, and in August a British squadron entered Chesapeake Bay. Troops were landed, the city of Washington was captured, and the Capitol, the President's house, the Treasury building, the Departments of State, of War, two private dwellings, a tavern, a newspaper office and two ropewalks were given to the flames. This done, the British fell back rapidly to their ships at Benedict.

Their attention was then given to Baltimore and September 11 the fleet anchored off the mouth of the Patapsco River. Some five thousand troops were landed to attack the formidable line of redoubts while the fleet were to destroy Fort McHenry. Both attacks failed, Ross was killed, the British retreated, the fleet went down the Bay, and October 14th, 1814, sailed for Jamaica.

When the news of the raid into Maryland reached

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Philadelphia the people were thrown into great excitement. A meeting was held in the State House Yard, a Committee of Defence chosen, and calls made for men and supplies. Military associations of young men were quickly formed, and in a little while the Philadelphia Volunteers, the Marine Artillery, the Senior Military Association, the Independent Volunteers, the Yankee Guards, and the Rifle Corps were actively drilling. Calls were made for draymen to join a company of artillery, for shipwrights and boat builders to make gun carriages, and physicians were asked to be ready in the event of a battle to hurry to the field. Appeals were made for patriotic men to work on the defences to be built on the hills along the west side of the Schuylkill, and met with a prompt response. As fast as offers of service were received the volunteers were arranged by the Committee of Defence into companies according to trades and occupations, and a day fixed when the teachers, or the Friendly Aliens, the victualers, or the Sons of Erin should gather at five o'clock in the morning, march to Fairmount or Gray's Ferry and begin work.

How great was the terror caused by this invasion of Maryland by five thousand British, is shown by the call the committee made on the governor. He was asked, the moment the enemy landed, to send men, not to fight them, but to see that the country across which the British must pass was stripped bare of cattle, horses and wagons; that trees were cut down and the roads blocked; that at least one wheel was taken from every mill, and the lower box and spear removed from every pump.

To this fear that the city was in hourly danger of falling a prey to the enemy, Girard was no exception. He gathered up his goods and sent them by wagon to Reading. Having chosen that town as a place of deposit, Mr. Edward George, at the end of August, was sent thither to arrange

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for the safe keeping of specie and September 1 reported from Reading:

"The mail is just closing, I have but a minute to inform you that I have not lost a moment, on my alighting from the stage, to accomplish your object, and have the satisfaction to inform you that I have succeeded, and would have been able to return tomorrow, had not the gentleman with whom I treated, been so engaged with the troops; but tomorrow everything will be fixed. The pretious things will also be received and secured by the new Bank which has safe accommodations. I cannot leave here before Sunday afternoon as there is no stage before.

"Everything is kept secret."

The arrangement was satisfactory and Mr. George, after his return, was sent back in charge of the specie and some nankeens.

"I am happy to inform you," he reported from Reading September 8, "that the convoy is arrived here safe today at 4 o'clock. The boxes from 3d Street are safely lodged in the farmers Bank. The other goods are also safe in store. I have stowed them myself and everything is secured. I cannot help of repeating again how much I am indebted to the good Mr. Burkinbine for his attention, his care, his good will. Really, Sir, you cannot imagine with what interest that Gentleman attends to your concerns.

"Several bales of nankeens were very wet on a/c or the bad weather we had on the road. I am about opening them & have them dryed in a proper place. Mr. Burkinbine has helped me.

"Having walked all the way on foot to this place & having watched the wagons all night, of course very much fatigued."

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Meantime a second convoy was made ready and dispatched in care of Mr. William Wagner, and September 13 Girard wrote Mr. John Burkinbine that nine wagons loaded with nankeens had been sent forward.

These also were wet by rain.

"We arrived here, Thursday," Mr. Wagner reported September 15, "about dark after a disagreeable journey, it having rained continually from our departure from the city. After we had passed the turnpike the Roads on acct of the excessive rains were rendered almost impassable. After our arrival I endeavoured to have the goods stored the same night, but only accomplished the unloading of five. It being then very late, we unloaded the remainder the next morning. we found some of the bales somewhat damaged."

Girard expressed his regret on hearing of the damage and added:

"Although the late news which we have received from Baltimore, Plattsburg & Lake Champlain is very favorable, yet I am one of those who believe that the British have a bad design against the liberty of our country. Under that impression I will continue to disperse as far as practicable, the moveable property which I have in this city."

A third convoy, this time in charge of Mr. George, suffered more from rain than either of the others.

"We arrived here this (September 21st) afternoon about 4 o'clock in the middle of a very heavy rain which had soaked us to the bones since this morning. Ill fate attends our transportation to this place. In spite of all the trouble you took many bales have been touched by rain. I have put aside 130 of them, which I have called damp merely to frighten the waggoners, but out of that number I am satisfied that very few are much wet. * * *

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"I have also very little time to examine the long nankeens being most dark, but it appears to me that damage though great will not be so much as I expected.* * *

"Unless there is great apprehension of danger, I would not advise you to send any more goods this way. You cannot form an idea of the badness of the roads. We were eleven hours to day to make 18 miles without stopping to feed. At any rate the wagons must be better covered for the safety of the goods. There is not one wagon to be found here, but in the course of 4 or 5 weeks we may get several if informed in time."

The goods remained at Reading until October, 1814, when Mr. George was sent to procure wagons to bring them back. He reported great difficulty in finding teams because of the small amount of goods brought from Philadelphia at that season of the year. He had gone about among the farmers in search of teams, but they were all engaged to bring wood. "However, several have promised to take loads in the course of six or seven days. Yesterday I had engaged three very good Teams at the rate of 4/6d pr cwt. I was ready to load when suddenly they came to inform me that they could not take anything for me, as there was a Mr. Boyer, a storekeeper & miller, who could load them to Philadelphia and back 5 sh. 4d. Such is the reliance to be placed upon these men. The following day two wagoners were found who agreed to accept 4 sh. 6d. per 100 lbs. instead of per cwt. One carried 40 bales on which the freight amounted to \$22.40, and the other 33 bales on which the charges were \$20.20." When forwarding the invoice and bill of lading for each load, Mr. George remarked, "it is with great difficulty that the waggoner could be prevailed upon to sign the latter, as it is contrary to the custom of this dutch place." These also were wet by rain, and when the next load was

sent Mr. George wrote that at the time he loaded the wagons every sign indicated a long continuance of cold and dry winds, and that the teams were the best that he could get. He had since arranged with some farmers to take a load. They were to bring double covers and plenty of straw. When they came they had single covers and no straw. Others were finally found and with them, he wrote, "I will do everything in my power to determine the waggoners to shelter themselves on the road in case of rain & shall agree to allow a compensation for the detention," but, "after having waited half a day without seeing them I went round the taverns and found them loading for a storekeeper who jealous of my getting the best teams, threatened them never to load them again if they were taking something for me." Late in December he succeeded in sending the last of the bales back to Philadelphia.

The invasion of the British was responsible for many things far more serious in their results than frightening the inhabitants of the seaboard cities and burning the public buildings at Washington. It was the immediate cause of a general suspension of specie payments. At Baltimore, when news of the landing of the British was received, the banks suspended specie payment on their notes, packed their gold and silver in boxes, and buried them in the country. Those at Philadelphia held out a few days, but on August 28th the Presidents of six ordered specie payment suspended and gave their reasons.

All the banks in Philadelphia having suspended specie payment, Stephen Girard's Bank did the same, and he was promptly sued in the courts of several Aldermen.

The first summons came from Alderman Bartram.

"Application was made to me for a summons against you, for refusing to pay specie for one of your Bank notes. I did everything in my power to persuade the Pltf, that

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the situation of things made it a matter of necessity almost to restrain the specie payments in the different Banks, but all to no purpose. He was inexorable. I was therefore under the disagreeable necessity of issuing the summons against you as the law requires."

The next came from Alderman Keppele. John Mansell went to the Bank one day in December, presented two notes of ten dollars each and one of five dollars and demanded specie for them. Payment in specie was refused, and Mansell brought suit in Alderman Keppele's Court. Thereupon Mr. Keppele wrote Girard:

"It is with extreme reluctance that I am compelled to issue a summons at the instance of Mr. Mansell (who I understand) is an umbrella maker.

"I stated to him the offer which your clerk made to me of giving me the paper of any other bank in the city for your own, & of having tendered to me notes of any description as to amount & did everything in my power to dissuade him from proceeding—but with no effect.

"What his object is I am at a Loss to ascertain,—but would recommend an amicable arrangement without carrying the case farther."

Girard had no intention of being forced to redeem his Bank notes in specie when the chartered banks were not forced to do so, and wrote this instruction to Mr. Roberjot:

"The moment judgment is given tell Alderman Keppele that Mr. Girard appeals to the Court of Common Pleas, and is ready to offer to enter into security to prosecute his appeal with effect and desires a transcript of his proceeding to be filed with the Prothonotary, and name to Mr. Keppele the security which he has ready. The security will accordingly be given, and then ask when you shall call for a copy of the proceedings. Call at the time appointed and take them to the Prothonotary (Dr. Peters) after that Mr. J. Ingersoll will do the needful."

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Judgment for \$25 and costs was accordingly entered. Girard and Roberjot gave security to the amount of \$50 each. Mr. Ingersoll did the needful and Mansell agreed to stop his suit and take his money in bank notes if Girard would pay the costs not exceeding two dollars. On a copy of the judgment there appears on the margin these words:

“N. B. I called at the Bank of Mr. Girard & there presented the described notes for specie. Mr. Roberts the Teller upon looking at them offered to give notes of any denomination which the incorporated Banks of Philadel^a had issued but declined giving specie. Mr. Roberjot acknowledged the notes to be genuine.”

The memorandum of Mr. Roberts reads:

“Mr. Roberts the head clerk of Stephen Girard’s Bank offered Mr. Kepple payment in any kind of notes of the other chartered Phila. Banks even as small as one dollar which he was about handing to him in lieu of the notes presented by himself at the counter. that not being authorized to receive those notes, he told Mr. Roberts that it would be better for him to remain in the same situation as he was, as the other notes would not suit the purpose of the claimant. it was with the approbation of Mr. Roberts that the one Dollar notes which he handed to him of the chartered Banks were returned and the others retained by him.”

Meantime Alderman John Baker wrote, December 7, 1814:

“About two weeks past I was called on and requested to issue a Summons against you to recover the amount of a promissory note of five dollars which the person alledges you refused to pay. I have endeavoured to divert him from it. He has called several times and now insists on my proceeding without any further delay. It being my wish to do business in the most amicable manner, I request you will sign the enclosed and return it to my office.”

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The enclosed reads: "John Christ *vs.* Stephen Girard. Amicable action. Let this be entered on the Docket of John Baker, one of the Aldermen of the City of Philadelphia, for parties to appear on the 9th day of December instant, and that the same shall be valid and have the same effect as if a Summons had been issued." Girard did not sign it: and a summons issued on the back of which is written, "Ph. Decr. 13, 1814. Appeared at half past Eleven o'clock before Squire John Baker and handed him a cercearree to bring this suit before the Supreme Court. Mr. John Christ."

The burning of the public buildings at Washington was followed by a call for Congress to meet in special session. Scarcely had it assembled when Mr. Campbell resigned the Secretaryship of the Treasury and Alexander J. Dallas was appointed in his stead. From Dallas, October 19th, came a letter to Girard advising him to renew his petition to Congress relative to the commutation of the stamp duty on bank notes. "This is the first moment," he said, "I could spare to write to any friend in Philadelphia; and I can only say now, that I wish you to renew your petition to Congress, relative to the commutation of the Bank note duty as soon as you can."

No time was lost and on the 25th Mr. C. J. Ingersoll wrote:

"I have to acknowledge the receipt of your favour covering the duplicate memorial to be presented to Congress, one of which I will hand to Mr. Roberts for the Senate and present the other in my place tomorrow, to the House of Representatives."

When the bill was printed Senator Roberts sent a copy concerning which Girard wrote Mr. Ingersoll, November 25th, that he would "make no remarks save on that part which compelled private bankers to make weekly

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and monthly reports to the Secretary of the Treasury on the condition of their banks." This was particularly unpleasant, as it exposed the business of his Bank "to the view of every clerk of the Secretary of the Treasury's Office. But as the contemplated bill will perhaps be more palatable to other private bankers than to me, I beg that you will endeavour to obtain an amendment to said Bill, so in future the notes &c, &c, of private bankers, who will prefer to pay the stamp duties, shall be clearly distinguished with black or some other colour.

"I am extremely sorry that the House of Representatives have not adopted Mr. Dallas's plan of a National Bank. It is to be regretted that jealousy or some other sinister cause against that class of wealthy citizens who have loaned their money to Government, will induce gentlemen to reject the best mode of consolidating the credit of the United States, an event which alone can force an honorable Peace."

Girard heard no more of the petition till November 29th, when Mr. Ingersoll wrote:

"The Senate having passed the bill for your relief and sent it to the House of Representatives, it was there read a first & second time to day and I think would probably have passed a third reading had it not been that, being a money bill, it was necessary to refer it to a committee of the whole. This was done, on my motion, and the business was made the order for tomorrow, when I will have it taken up, as soon after as possible. I fear that the press of tax and military bills may preclude and postpone it for some weeks.

"The Sections which compel weekly and monthly reports are contained in it and I cannot venture to move to strike them out without imminent hazard of defeating the whole measure.

"Mr. Dallas will give directions to the Commissioner

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of the Revenue to distinguish your notes with black or other marks distinct from the stamp. There will therefore be no occasion for attempting to modify the bill to this effect."

Senator Roberts was soon able to write:

"I have now the pleasure of informing you that the bill has passed both houses & waits only for signatures of the Speaker of the House & the Pres^{dt} of the Senate & the approbation of the Pres^t of the U. S. which being I presume matters of course there will be no doubt of its taking the effect of law. I have been led to give you the information above alluded to from your great merit as a citizen & a patriot."

The plan to establish another national Bank to which Girard alluded in his letter to Mr. Ingersoll was not new. In December, 1813, a petition, signed by one hundred and twenty-one "inhabitants of the State of New York," had been presented to Congress setting forth the financial and political advantages of such an institution. It would give to the country a sound currency, a reasonable exchange, prevent the concentration of specie in the State chartered Banks, and attach to the Government men of wealth. The Committee of Ways and Means, however, opposed the petition and January 15, 1814, reported, "that the power to create corporations within the territorial limits of the States, without consent of the states, is neither one of the powers delegated by the Constitution of the United States, or essentially necessary for carrying into effect any delegated power."

One of the promoters of the plan was Mr. John Jacob Astor, of New York, who now sought through Mr. Parish to interest Girard in a new application to Congress. The letters were written to Mr. Parish, were shown to Girard, and answered:

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"I hope that the writer of the letter alluded to will, by and by, give you a more definite prospect in regard to a National Bank. I am of opinion that its establishment in this city will not be permitted by the Legislature of Pennsylvania who have finally passed the Banking Bill, which creates 41 additional banks." And again on March 28th: "I have perused the letter under cover of your note and observe with pleasure the progress of your friend. I hope that his next will be still more flattering."

No more was heard of the Bank till August 15th, when Mr. Astor wrote:

"There is no doubt but Congress will in the early part of the session take up the subject of a national bank which now appears to have become indispensable. The probability is that such bank will be established. Its capital will probably be 30 millions of dollars or upwards. The notes are not to be made a tender except in payments to the government, but the Bank must be protected from being required to pay specie for these notes at least till one or 2 years after the war.

"It is contemplated to form an association and to make application to Congress for the charter. I mention this to you in confidence, and I wish to know whether you will like to become interested in such an Institution.

"I understand government have made arrangement to send a considerable part of the stock of 25 million loan to Europe. They wish now to borrow but a small sum. Have you any Disposition to join in an offer for some of this 6 millions now advertised? Suppose the terms given will be about 80. I think it low tho' money very scars. Would it suit you to loan to Government for a few months only Receiving stock as Deposit 4 or 500 m\$ or a larger sum? I wish that they should get some money without being

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oblig'd to dispose of stock at present reduced prices. It would be well for the country & well for us all.

"P. S. We have just now a prize schooner arrived with English accounts of 8 July. They state that G. Britain has appointed & sent 5 commissioners to meet ours, & that the general belief was Peace. If you do not like to loan to Government 4 or 500 m \$ and will loan it to me I will give you stock at low rate and my note with good name to make it perfectly safe to you. I want it not for myself but I wish to help the Treasury at this particular moment."

"On the subject of the National Bank which appears to be under contemplation," replied Girard, "it is not probable that I will become one of the applicants for a charter unless the mother Bank should be established in Philadelphia. In regard to loaning money or discounting notes to a large amt, present circumstances will not permit to change the plan which I have adopted for the government of my private and Banking business."

When Congress assembled September 14th the banks from New York southward and southwestward had suspended specie payment and as they would not accept each other's notes at par the country and the government were without a circulating medium, and the Treasury was soon unable to pay its debts.

That a Bank of some sort must be established to relieve the financial distress of the Government and the country was now generally admitted, and two days after Congress met the New York petition was presented and sent at once to the Committee of Ways and Means. It was at this time that Campbell resigned and Alexander J. Dallas became Secretary of the Treasury, October 4th. Eppes, chairman of the Committee of Ways and Means, promptly called on him for a statement of his views on the

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state of the finances. Dallas at once presented the outline of a plan for a National Bank as "the only efficient remedy for the disordered condition of our circulating medium."

"The Bank plan," he wrote Girard, October 21st, "conforms pretty much to the sketch that I showed you. I have been obliged to reduce the duration of the charter, and to call for more specie. But I think you will approve the alteration in the specie item, when you see the bill which I am drawing."

"I have the pleasure," wrote Dallas October 24th, "to inform you that the Committee of Ways and Means will support all my measures. On the subject I shall write to you again in a day or two. It is a source of great satisfaction to me, that I can repose perfect confidence in your aid as a friend and a patriot."

Parish, who had gone to Washington to lobby for the Bank, described the attitude of the members of both Houses.

"I arrived here on Friday last since when I have been wholly occupied in trying to make Converts to the establishment of a National Bank. A majority in both houses of Congress are unquestionably in favor of the measure; but there is considerable difference of opinion as to the details of the bill and without a conciliatory disposition being manifested by both parties, I fear the Bank will fail, which would be truly unfortunate for the country.

"As I consider that the success of the measure will be, to a considerable degree, insured by its being first discussed in the Senate I have endeavoured to accomplish this object and shall probably succeed. General Smith has promised me to make a motion tomorrow to appoint a Committee to bring in a bill for the establishment of a Bank, and there is no doubt that the motion will be agreed to."

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“Conformably to my wishes and arrangements Gen’l. Smith made his proposed motion today (October 31) and it was agreed to by a large majority, a Committee of five having been named by the Senate to inquire into the expediency of establishing a National Bank. I shall see the gentn of the Committee tomorrow and trust that in three or four days they will present a bill to the Senate which will be found to answer the purpose.”

That same day Parish wrote: “I refer to my letter of the 31st ultimo, since when I find that the Committee appointed by the Senate to inquire into the expediency of establishing a National Bank consists of the following gentn: Messrs. King, Mason, Gen’l. Smith, Taylor and Bibb; the two first are federalists and will probably oppose the Bank, but the three latter are in favor of it, and a bill will be presented to the Senate and pass that body in about a week.”

November 5th he wrote again, saying: “The Bank business appears, at present to be in a fair train. Mr. Dallas met the Committee of Ways and Means on Thursday and explained to those gentlemen, at full length, every part of the scheme. They will probably report the bill to the house today or on Monday. The Committee of the Senate are also occupied with this subject, about which I am daily conferring with the Chairman, Mr. King. Mr. Dallas is to meet those Senators on Monday, and I hope his explanation will prove as satisfactory to them as they were to the Committee of Ways and Means.

“I do not consider the various objections made by many of your neighbors to Mr. Dallas’s plan of a National Bank entitled to much consideration, excepting those in relation to the privilege to be given to the Executive to name one-third of the directors. Their number will be increased to 25, of which the President will be allowed to name 5, but he is not to appoint the President of the Bank who

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is to be chosen by the Directors. The interest of the United States in the institution will be reduced to 10 millions.

"P. S. Since writing what precedes, I have conversed with a member of the Committee of Ways and Means who informs me that instead of allowing the President of the United States the power of naming three Commissioners, to receive subscriptions in Phila. only, as was proposed by Mr. Dallas, the Bank bill, which will be reported to the House of Representatives on Monday or Tuesday next, names three Commissioners in each of the following places to receive subscriptions, viz: Boston, New York, Phila., Baltimore, Richmond, Charleston and Pittsburg. The persons at Phila. whose names are inserted are yourself, Mr. Thos. M. Willing and Mr. Chandler Price."

Mr. Dallas was sure it would pass and so, apparently, was a certain Senator.

"The Bank will probably pass the Senate today," wrote Mr. Dallas. "I think it will pass the House of Representatives next week, though there is great doubt expressed on the subject."

"There is no legal obstacle, but my own sense of propriety will prevent my taking any shares of Bank stock. A friend, however, has desired me to ask, whether you could assist him, and on what terms, to the sum of 25000 dollars in specie, for his subscription? If you say that you can accommodate him, I will send you his name. He is a member of the Senate, and very deserving your attention."

Mr. Parish now wrote that the bill must be amended, that the Government must give up its "right of naming any Directors," and its interest in the bank "reduced to Ten Millions. Without these alterations not a federal vote will be obtained in favor of the Bank, and without some aid from that side of the house the bill will not pass as many Democrats are opposed to it on Constitutional grounds."

Among those in the House of Representatives who

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avored a Bank, but disliked the provisions of the plan of Dallas, was Calhoun, who on November 16th introduced a bill of his own. He would have no forced loan to the Government, no suspension of specie by the Bank, no Government partnership, and a capital of \$50,000,000, of which \$6,000,000 must be in specie and \$44,000,000 in Treasury notes to be issued for that especial purpose. This, in spite of the efforts of the administration, was substituted for the Dallas bill by a heavy majority vote.

Federalists who wanted a specie paying Bank, supporters of the administration who wanted a Bank on the plan of Dallas, Democrats with constitutional scruples now fell upon the bill, amended it almost out of recognition, and after a week of acrimonious debate sent it to a select Committee which reported it back precisely as it was received. The capital was then reduced to \$30,000,000, and when the motion was put to read the bill for the third time, it passed in the negative by a good majority and so the bill was rejected.

And now, December 2nd, 1814, the bill on which the Senate had been at work came down to the House. January 2nd, 1815, the vote on it was taken. The yeas were 81 and the nays 80. Thereupon the Speaker voted in the negative and made a tie, and then gave his casting vote in the negative and so defeated the bill. On the morrow this vote was reconsidered and the bill sent to a select Committee which reported it with amendments. The capital was to be \$30,000,000, of which \$5,000,000 was to be in specie; \$10,000,000 in stocks issued since the war began; and \$15,000,000 in treasury notes. There were to be Government Directors, no suspension of specie payments, no forced loan. January 7th this bill passed the House. The Senate made some amendments; the House refused to accept them; the Senate receded, and Madison killed the bill with his veto.

CHAPTER XI

TRADING AND BANKING AFTER THE WAR

THE treaty which brought to a close our war with Great Britain was signed at Ghent on Christmas Eve, 1814. About the same time Mr. John B. Hoskins, husband of Catherine Girard Dufourg, half sister of Girard, landed at New Orleans just before the news of the approach of the British reached that city. What he saw he described in a letter to Girard, December 29th.

"From the best information I have been able to procure it would appear, that the inhabitants of that part of this state, called the *Terre aux boeufs*, who are principally Spaniards, which is about seven leagues from this, favored the descent of the enemy in such way that it was not known here til the third day, when a party presented themselves at the plantation of Mr. Villaret, about four miles distant, where they made his son prisoner, the father being in town, who however found means to escape and brought the news between one and two o'clock in the afternoon. Fortunately 3000 infantry and 2000 cavalry arrived from Tennessee the day before. everything was alarm and confusion in town. General Jackson immediately went himself and was followed by all the troops with militia. every one was anxious to meet the enemy. it is impossible to paint in colors sufficiently strong the ardor, alacrity and activity of all classes. Soldiers and citizens were all confounded in that heroic patriotism so congenial to the souls of freemen and fired with that martial desire not only to repulse but to scourge the enemy of the human race. As fast as the troops arrived on the field they attacked the enemy who persisted to take our cannon but were sabred on our pieces by the volunteer companies

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from this Town, and toward nine o'clock they were driven about two leagues with loss; we have to regret some braves. The General ordered the ground to which the English had retired to be inundated, but unfortunately the low state of the river did not permit the water to rise so high as he wished. General Coffee with the cavalry was sent onto their rear where he seized on and drove off all the live stock, after which both armies contented themselves by observing each other and throwing up some fortifications till Monday at day light when the enemy advanced in three columns under cover of their artillery and Congreve rockets. but our artillery was so well served that in a short time all theirs was dismounted. They, however, continued to advance, til a party of our Tennessee riflemen, who under cover of the woods, had got into their rear, poured into them a most galling fire. This induced a percipitate retreat. we did not pursue them. there are several gun boats and other small vessels stationed to take them in flank, whenever they present themselves along the river. our position is strong and susceptible of an easy defence. both armies since have only continued to manoeuvre. it would appear if I am permitted to have an opinion, that General Jackson is waiting for reinforcements that are hourly expected, as I understand about 6,000 men, 3,000 of them from Kentucky, were at the mouth of the Cumberland River the 7th instant, not that he has not sufficient force with him, which is about 10,000 and the English 7,000, as one of their deserters told me, but in order by a great superiority of numbers to make up for that *ensemble de mouvement* which is the life and force of a regular army.

“You will readily conceive that business of all sort is at a stand still. There are very large quantities of cotton and other produce of the country on hand, as well as with

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the different plantations along the river, without price or demand. perhaps it might be a good opportunity to invest funds. to quiet my wife, instead of being in the army, I have by means of some old friends I found here joined the veteran corps destined for the defence and police of the city."

The letter reached Girard early in February and in March came others from Bordeaux telling what he already knew, that peace had been made with Great Britain on the 24th of December, 1814.

This pleasing news spread rapidly over Europe and was followed by a flow of letters to Girard soliciting business and telling of the state of the Markets. They came from St. Sebastian, Marseilles, Lorient, Nantes, Altona, Bordeaux, Bremen, Antwerp, Rotterdam, London, St. Petersburg, Havre, Dieppe, Hamburg, Amsterdam, Stettin, Lisbon, La Guayra, the Hague, Liverpool, Alicant, Barcelona, Cette, and from his friend Bickham in the Isle of France. Everywhere peace was followed by a fall in the price of American products.

Girard sent off instructions to Captain Stephen McGinnes at Carlsrona to proceed to London or Liverpool, if he had not already done so, complete the loading of the *Helvetius*, and come home.

He hurried an agent to Charleston to see that a cargo of cotton was ready for shipment, sent the *Rousseau* there to carry it to Amsterdam, and in a letter to Crommelin & Son, explained his plans for the future.

Maritime commerce, he said, had not yet resumed its former activity. Merchants were in the dark, or at a loss to know what course to pursue. He however, was about to prepare two of his ships, but had not decided on their destination. Probably it would be Amsterdam. Crommelin & Son were therefore requested to keep him informed

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as to prices of cotton and tobacco, tell him what kind of China goods sold well in their city, and state the terms on which such goods were admitted, the selling price and the cost of selling.

At Amsterdam Mr. Buckle, the supercargo of the *Rousseau*, was to procure a cargo as ordered, purchase a large quantity of seeds, roots, table linen and what not for his house, and procure if possible a gardener. "I am really at a loss for a gardener," the supercargo was told, "indeed, I have been so situated with that class of men for this four years past, that although I have constantly two or three of them on my place, I have been under the necessity to attend, to plant and to train upwards of five hundred fine young trees which I have raised or imported from Bordeaux, and Montriél near Paris. If you can send me one or two gardeners by the ship *Rousseau* you will oblige me. I do not wish you to send me Dutchmen. I prefer them from Switzerland or from the active part of Germany, particularly where they cultivate the grape Wines. The Country people are poor, consequently more active than those who obtain their living with more facility." They were to serve him under the redemption system for three years. Two small boys 15 years old were also wanted to serve till they became of age.

The *Rousseau* left Charleston late in April, and just after she sailed Girard received from Bordeaux the alarming news of the return of Napoleon. The market, his correspondent, John A. Morton, reported, was dull and low and the daily expectations of receiving news of the Ratification of the Treaty of Ghent had produced considerable depression in the value of American produce. Short staple cotton was selling for fr. 180 to fr. 220; Long staple, from fr. 280 to fr. 310. per 100 lbs.

"An extraordinary political event has, within the last

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few days, suspended all business and occupied exclusively the public mind. On the 1st instant (March 1st) the Ex-Emperor Napoleon debarked at Cannes, near Frejus with about 1200 men, and penetrated into the interior without much effort. From the smallness of his force it was not presumed that he could make much progress; but yesterday (March 15) great consternation was created by the official intelligence of his having been joined by some troops which formerly belonged to his army and of the probability that he would obtain possession of the rich and populous city of Lyons, on the 10th inst., in the evening. The success of this bold enterprize will depend on the fidelity of the Military to Louis the XVIII and great fears are entertained of the example already given proving contagious. My next advices will give you the results of this alarming crisis."

"Since our last," said a house at Marseilles, "certain events have happened concerning which we think we ought to inform you as they may possibly effect the commercial conditions of the whole world.

"Bonaparte landed on our shores with a small force of troops who had followed him into retirement. He advanced as far as Lyons without meeting with any opposition and announced his intention of marching on Paris and resuming the crown, which, he says, he only abdicated in order to deliver France from invasion by the Allies. On their side the King and the Princes of his family are doing everything to stop his advance and maintain their rights. Trade suffers under these dissensions and it is feared that England may intervene in our internal troubles and the freedom of the seas be once more destroyed. This has already caused a rise in the price of colonial produce."

Said another, writing from London:

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"The landing of Napoleon in France will be made known to you no doubt before this reaches you. It is the opinion of judicious men here that the European war will be renewed if he succeeds in getting again to the throne. The flag of the U. S. will in that case become important.

"P. S. Since writing the foregoing Louis the XVIII has left Paris and Napoleon has re-assumed the imperial throne. It is expected that Lord Castlereagh will set off this night for Vienna and that war will be declared against Napoleon."

Another, in Antwerp, wrote:

"You will no doubt have heard that Buonaparte has landed in France. By the measures taken and the Important Forces that are gathering around the Frontier of France, it is expected that things will soon be put to rights again and no apprehensions are entertained for the tranquillity of the neighboring states.

"The newspapers will also have informed you that in pursuance of the decision of the Vienna Congress, this country is erected into a Kingdom and Holland united to it. Our new Sovereign was lately proclaimed and has assumed the Title of King of the Netherlands. We have every reason to expect Tranquillity and Prosperous Trade under his Administration."

When Girard heard of the landing of Napoleon in France the *Rousseau* was about to leave Charleston. It was then too late to change her destination, though he expected a poor return.

"The extraordinary Event," he wrote Mr. Stoney, "which has lately happened in France, has in some degree changed my expectation respecting the success of your shipment on my account on board of the *Rousseau* particularly if a renewal of hostilities between France and England should revive.

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"Presuming that the Emperor of France will continue his former duty on Imports, I am of opinion that very few shipments of our produce will be made that way. Nevertheless as my principal object is to employ my ships I beg that you will continue to purchase cotton on my account."

The sailing of the *Rousseau* was followed by that of the *Voltaire*. Her port of discharge was Canton, to which she carried 6200 Spanish milled dollars and a cargo of merchandise valued at \$40,172.51, and bills of exchange on London for £13,000, worth, at the par value of \$4.44 for a pound sterling, \$57,777.78. At Canton tea was to be purchased and taken to Amsterdam, unless it was blockaded, in which case Captain Bowen was to seek some "permitted port" in northern Europe.

"The extraordinary event which has lately happened in France," he wrote Mr. Fitzsimmons, "has no doubt deranged the plan of division which England and their Allies have made between themselves, at the expense of others. Should their disappointment bring on a renewal of hostilities, it is probable that our commerce to those countries will be extremely precarious particularly at Amsterdam where Capt. Myles McLeveen will endeavor to proceed with the ship *Rousseau*. Although that circumstance presents a gloomy prospect, yet having still two valuable ships in this Port, and one which I daily expect from Carlsrona I have decided to employ them as fast as they are fit to take in their cargoes. Consequently I request Mr. John Stoney to continue the purchase of cotton on my account whenever a fine quality can be attained on reasonable terms. Indeed, I am one of those who believe that before two months are over the price of cotton at Charleston and Savannah will meet with some depreciation. The circumstances upon which my opinion is founded are as follows:

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“1st. That previous to the Emperor of France entering Paris and taking up the reins of Government, the European Merchants considered themselves at peace with all their neighbouring countries, and those of England even waiting for the ratification of Peace from America to accomplish their tranquility and to enable them to put their maritime operations into execution.

“2nd. During the interval between the Epoch when the Treaty of Peace between the United States and England was signed at Ghent, and the day when the ratification of the said treaty by the United States arrived in England, the shipping merchants of that country had prepared to come with funds or with ballast to this country where they intended to load with the produce of this country and proceed to Europe. French, Dutch, Spanish and Swedish merchants who previous to the conclusion of peace between the United States and England, who although they were neutrals, had been prevented, by the British proclamation blockading our Ports, to come to this country, have also prepared their vessels and formed their plans of future operations nearly in the same manner as the British merchants have done.

“The ratification of the treaty by the United States had reached England at about the same time when the news that the Emperor had entered France and was making great progress on his way to Paris, has naturally paralyzed the intended operations of foreigners who being afraid that their government would be involved in War have prudently retained their ships in their Ports or, at least will have suspended the execution of their maritime operations.”

A week after this letter was written his favorite ship *Good Friends* arrived in Port. Under date of March 18th Baring Brothers wrote that in accordance with his request,

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made apparently immediately after news of peace, steps would be taken to secure the release, from Stapleton and Dartmoor prison, of five of the old crew of the *Good Friends* and send them to Carlsrona. "This letter," they continued, "we expect you will receive by the *Good Friends* of which ship we became the unwilling proprietors from circumstances which must be still fresh in your memory. We have since employed her in a voyage to the West Indies, and more recently in two short Northern trips, in all which she acquitted herself in a manner to make us quite satisfied she is a good ship. The heavy expenses however of navigating British ships have prevented any reduction of her first cost, which stood at Three Thousand Pounds, at which sum we are ready to make her over to you, and presuming that you may not be adverse to accept of her upon these terms, we hand you enclosed the necessary power of attorney to give a title thereto debiting you provisionally for that sum of £3000 to carry interest from the time of delivering by Captain Lockerly, who has commanded the *Good Friends* since we purchased her, and whom we have found a diligent, steady shipmaster. Should you decline taking her we must recommend her to a preference of such goods as you may have for any Port for which she will be put in loading."

May 16th Girard replied: "This day I had the pleasure to see the master of that Good Ship who has informed me that you have directed him to deliver me that ship in case I should be inclined to purchase her. I am extremely sorry that the impossibility to obtain a register for that favorite vessel compels me to decline accepting your friendly offer."

The next of his vessels to be dispatched was the *Helvetius*, which returned from Carlsrona early in June and

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was sent to Charleston, Captain Stephen McGinnes in command. Her destination was Liverpool. Late in May the *Rousseau* reached New Dieppe, whence Mr. Buckle went to Amsterdam to arrange terms with a commission house, and found the markets in a precarious state.

“You have no doubt ere this, heard of the great changes in Europe. I am yet too short a time to know much of the mercantile and political situation of this country. Most people here are of opinion that prices will get better, founded on the sure belief entertained by all the Hollanders I have yet conversed with, that France will be conquered by the 2nd of August, which would reopen the communication with that country, and as soon as the allies advance, reëstablish the navigation of the Rhine which is now almost entirely stopped. Although I understand that on the first news of Napoleon’s reappearance in France, all Europe, and particularly Holland, was in the utmost consternation, yet the Hollanders have since not only recovered from the panic, but have persuaded themselves firmly that Bonaparte will be a prisoner to the Allies in less than two months; this is not the idle talk of the uninformed but the belief of men like Messrs. Crommelin. Should, therefore, the first blow that’s struck be in favor of the French armies, one may easily imagine the panic it would create, and the effect it would have on sales, and its consequences might even endanger the safety of property in this country. My present impression therefore, is, to effect sales as soon as the goods come up to town.”

“German as well as most Dutch manufactures are scarce and generally at least 25 pr ct. higher than formerly owing to the all most entire stoppage of the manufactories throughout these countries particularly in unfortunate distressed Germany. To such a pitch of frenzy have the

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intrigues of England and other causes wrought the German princes, and I may add a great proportion of the German people, that they stop at nothing; not content with calling out the whole of their numerous armies, but within a few days all those who are able to bear arms from 18 to 40 years, married or single, rich or poor, are forced to march for the unholy purpose to extirpate a great nation, although under the pretense of securing their own liberty against a tyrant who contrary to the will of the people over whom he rules, has assumed the power. My heart bleeds for the country that gave me birth and I can hardly refrain from tears when I look forward to the consequences of this new war. English manufactures were nearly banished from this country and woolen cloths altogether in consequence of the perfection which most of German manufactures had obtained since 1805 and immense were the losses which England sustained by its shipments to the continent on the reopening of the trade; for although the continent was overrun with English goods at very low prices, yet labour being so very cheap and machineries having been brought to great perfection the German manufacturer still calculated, that he would finally be able to undersell the English; and England no doubt being aware of this, sees her only resource in the destruction of the manufacturer and as events have produced a bitter hatred amongst the nations about to contest with one another, there is no doubt but that for the benefit of England the French and German manufacturers will murder one another by thousands. This situation of affairs and its attendant numerous evils and misery, is the cause that particularly all Cotton manufactories are shut up. many respectable Chiefs of houses have left their business, their wives, their children and are now here with a view to escape from the necessity of marching

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to destruction. with many I am well acquainted and daily conversing. The burdens of the people are enormous particularly in those parts where the Troops are collected. Germany is by all accounts a complete camp, and under a severe military despotism nothing is published there nor here but what suits the views of the Allies, and such is the spirit of the people here that it is even dangerous, to look as if you doubted when a most improbable story to the disadvantage of Bonaparte or the french nation is related. The only newspaper information, on which we therefor can in any manner rely, are the English which are regularly rec'd and are looked upon by the better class as the only accounts deserving of credit! ! ! * * *

“Poor Saxony in which manufacturers flourished more than in other parts of the devoted country, is nearly destroyed. Its few remaining sons are torn by Prussia from their looms, their mines, their anvils, to make themselves worthy to be incorporated with the Pride of Germany (as Prussia is called) by murdering the satellites of Bonaparte, and numbers of them having in the midst of allied army dared openly to resist their new commanders, have been cut down by their new Brethern the Prussians! * * * *

“I am apprehensive that I shall not be able to procure the gardner or boys you mentioned in time to go with the *Rousseau*. I have seen a number that offered themselves, but none to my mind, and owing to the war and the stopping of the Rhine navigation and prohibition of emigration from Germany it is at this moment difficult to have a choice.”

“Holland's commerce has suffered so much during the last 8 or 10 years, that the mercantile spirit of the people seems to be broke; instead of the many wholesale dealers in German, French, English etc. manufactured goods, formerly existing, there are but two or three left who deal

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in German linens '*en gross*.' The dealers in all other kinds of manufactures have dwindled away into petty shopkeepers."

John A. Morton of Bordeaux sent an account of the fate of Napoleon.

"The French Army marched into Flanders on the 15th instant, and on that and the succeeding day, gained some brilliant advantages over the armies of Wellington and Blücher. On the 18th they renewed the attack with great impetuosity and until 7 o'clock in the evening had a prospect of a great victory, but they were suddenly assaulted in their flank by a powerful Prussian army of fresh troops, which determined the fate of the day, and all was in a few minutes confusion, defeat and disaster. Napoleon finding his losses too numerous to keep the field, fled to Paris and proposed the adoption of violent measures which were rejected. He abdicated his crown in favor of his son and has since embarked at Rochefort for the United States with a suite of 50 persons. A Provisional Government has been formed and Ambassadors sent to the headquarters of the Allies to treat for Peace, on the basis of excluding the Bourbons from the throne. In the meantime the immense armies of Wellington and Blücher have advanced to the gates of Paris where three days ago they were in the presence of the remains of the French Army and a bloody battle was hourly expected on the issue of which depends the fate of Paris, and probably the existing government. I think there is every prospect of the present awful crisis terminating in the restoration of the Bourbons, but I question whether that measure would insure a durable tranquillity to France. The Duke of Orléans has a considerable party which would declare in his favor if his advocates were sure of his accepting the crown. He has no vengeance to exercise, no parties,

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families, or individuals who he is obliged to exile or proscribe and in that I believe no other succession could so effectually secure the future tranquillity of France.

"You can easily conceive that in the present anarchy and distracted state of things, business is out of the question. When the storm is over American produce will probably command about the same prices at which the last sales were effected and of which I subjoin a note for your information." The note stated that long staple cotton was worth from 240 to 280 fcs. per 100 lbs; short staple 150 to 175 fcs., and rice 30 to 35 fcs. per 100 lbs.

"The revolution of which France was the victim last March," wrote a house in Havre in July, "has fortunately come to an end, and there is every reason to hope that the event will not be repeated, and that we shall now really enjoy a solid and durable peace, and that our relations with the other countries will be restored with the same confidence as heretofore."

"The reign of Napoleon," wrote one in Paris, "is over. We have had a King for several days, and we are on the eve, thank God, of a general peace. You may without fear begin your expeditions."

In August the *Rousseau* was back in Philadelphia, the *Helvetius* well on her way to Europe, and the new ship *North America* was about to make her maiden voyage. In September she sailed, with a cargo worth \$56,860.60, for Liverpool. The *Helvetius* arrived at that port about the middle of August. Her cotton, which cost \$47,485, sold for £18,039.9.5 and early in October she sailed for home. The *Rousseau* was sent to Charleston for rice and cotton "for a port in Europe."

After dispatching the *North America* to Charleston, Girard wrote Baring Brothers:

"Having five ships in hand and the shipping business

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being pretty familiar to me I wish to employ three of those ships in the European trade and two in the China or Calcutta voyages. But in view to carry that last commerce with some facility I shall want the friendly and confidential aid of the European house in whose hands the greatest part of my commercial funds will pass through particularly if the scarcity of Spanish Dollars in the country should compel me to dispatch my India ships via some Port in Europe."

It might happen that in addition to "correct information" he might need advances in money or bills of Exchange on Calcutta or Canton, never more than fifty or sixty thousand pounds.

"Knowing your friendly disposition towards my interests, I have the pleasure to inform you that although I have met with two severe losses during the last war with England, namely, the ships *Good Friends* and her cargo, and one hundred and eighty thousand dollars paid for the Ransom of my ship *Montesquieu* and cargo from Canton, yet independent of the present Capital of my Bank which exceeds eighteen hundred thousand dollars, and my Real Estate in this City, Lands in the Country, particularly the former, for which I pay more than one Hundredth part of the Taxes which are yearly laid in said City, my commercial capital enables me to sell my goods on credit and to carry on my maritime business throughout, cash in Hand, without the aid of discount. All this I owe principally to my close attention to business and to the resources which this fine country, affords to all active or industrious men."

When peace was made, when the ports were once more opened to European trade, the premium on specie fell from fourteen to three per cent and it was generally expected that the banks would resume specie payment. But they would not, and their notes so depreciated that in October,

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American dollars sold at a premium of sixteen per cent and Spanish coin at twenty-one. At Philadelphia notes of Delaware banks passed at two per cent discount, those of Baltimore and Richmond, if chartered, at three, and those of Pennsylvania and Ohio at seven.

Philadelphia merchants who traded largely with the South and West were so seriously affected by the prevailing rates of discount, and the refusal of the banks to receive Southern bank notes, that meetings were held to discuss the situation and a committee was appointed to find a remedy. The evil, it reported, was deep seated and the remedy not in the hands of the community at large. Want of specie was the cause of the difference in exchange between the States, and put them in the position of foreign countries the price of whose money was regulated by the balance of trade. States against which a balance existed would have their bank paper depreciated in the States to which they were indebted. Now the States in the South and the West were in debt to Philadelphia. The balance of trade was against them and nothing but a restoration of a national circulating medium could bring relief. How far the Government should attempt to accomplish this was not for the Committee to say.

So unbearable was the state of the currency that Congress was then seriously at work on a charter for another Bank of the United States. Madison, in his message, at the close of his review of the financial condition of the country said it was "essential to every modification of the finances that the benefits of an uniform national currency should be restored to the community." The absence of the precious metals, he believed, would be temporary, but until they were again the general medium of exchange it was the duty of Congress to provide a substitute. "If the operation of the State banks cannot

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produce this result, the probable operation of a national bank will merit consideration; and if neither of these expedients be deemed effective it may become necessary to ascertain the terms upon which the notes of the government (no longer required as an instrument of credit) shall be issued upon motives of general policy as a common medium of circulation."

These remarks of the President were sent by the House to a select committee, of which Calhoun was chairman, and early in January it presented a bill for a National Bank based on a plan outlined by Dallas. The capital was to be \$35,000,000, of which the Government was to subscribe \$7,000,000. So much as was open to popular subscription, \$28,000,000, was to be one-fourth in specie, and three-fourths in funded debt of the United States. The parent bank was to be at Philadelphia; might establish branches wherever necessary and issue notes receivable for taxes, duties and all payments to the United States. As soon as it was certain the Bank charter would pass both Senate and House, Dallas wrote him:

"It is my intention to use your name as a commissioner for receiving subscriptions to the National Bank. The Government Directors must be appointed during the session. Tell me in *confidence*, whether you would prefer to be appointed here, or to be chosen by the stockholders."

"If," was the reply, "I am appointed a commissioner for receiving subscriptions to the National Bank, I will endeavour to do my duty, but as to a Director of that Institution I am fearful that my commercial and other occupations will not permit me to accept the appointment."

April 10th, 1816, the President signed the bill chartering the Bank, and on the 15th Dallas wrote again:

"The nomination of Directors of the National Bank must be made during the present session; and Congress

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will probably adjourn on the 22^d instant. You must therefore tell me, by the return mail, whether you consent to be named. By the Bank Act it is ordered that a Director of any other bank cannot be appointed a Director of the National Bank. If your establishment be regarded as a Bank and you are a Director, within the meaning of the etc, a difficulty may arise in the Senate, of which you should be apprised."

Girard now consented, was confirmed, and on May 1st, 1816, Mr. William Jones wrote him:

"I have received by the mail this day a packet from the Department of the Treasury of the U. S. addressed to

William Jones	}	Esquires
Stephen Girard		
Thomas Willing		
Thomas Leiper		
Cadwalder Evans		

and if it will suit your convenience request the favour of your attendance at the Merchants Coffee house tomorrow morning at noon, for the purpose of considering its contents."

The contents proved to be documents authorizing the five gentlemen named to superintend subscriptions to the Bank of the United States in Philadelphia. They organized at once, chose Girard President of the Commission, selected the banking house of Stephen Girard's Bank as the proper place at which to receive subscriptions, and because of the scarcity of specie decided to receive the gold and silver coins of foreign countries at the same rate at which they were taken by the United States.

"The Commissioners appointed by the President to receive at Phila. subscriptions to the Bank of the United States having decided that all foreign silver coin shall be received by the weight, small change which is at present

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pretty abundant in this city and throughout the State of Pennsylvania will at that rate loose from ten to twelve per cent. It is a proper time to encourage the circulation of small coin. At all times I will be ready."

Believing that the establishment of the Bank of the United States and the instructions of Congress to the Secretary of the Treasury would lead to an early resumption of specie payments, Girard wrote Baring Brothers:

"Being desirous to increase the specie which I have in the vaults of my bank in view to be ready whenever some of our principal banks are disposed to resume their specie payments, I have requested Messrs. Danl. Crommelin & Co. to ship on my account on bd of the ship *Rousseau*, Capt. Rob^t Thompson, as far as one Hundred Thousand Spanish Dollars provided that the funds which I have in yours or in their hands or the neat value of the goods which I have unsold under the immediate care of either of your houses including the present cargo of the ship *Rousseau* will meet the object."

Captain Thompson was then instructed to take every precaution for the safe keeping of the specie, "even to have a small strong bulkhead built for that purpose in the after run of the ship *Rousseau* observing to have the scuttle in the cabin well secured with an iron bar and a compleat padlock endeavouring to have said specie shipped on bd. unknown to your crew and to furnish yourself with one or two pair good brass pistols & two cutlasses with sufficient ammunition."

To Mr. Stoney he wrote: "Be so obliging as to inform me of the price of specie with you no matter which is the coin provided the weight & price is conformable to the Law of Congress. I understand that specie is more plentiful with you than with us. If it can be procured at your place at 4 pr ct or not exceeding 6 pr ct. advance,

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charges included, it is probable that I will trouble you with the purchase of Ten or Twenty Thousand Dollars."

The price, Mr. Stoney replied, was seven per cent, and was authorized to purchase as much as \$50,000 of 6 per cent stock of the United States at not over 92 per cent, and \$50,000 in specie if it could be had at 5 or 6 per cent advance, "giving the preference to Spanish Dollars. Gold should go through the inspection of your Bank & be received agreeable to the Act of Congress." In reply to a circular from the Treasury Department requiring him to designate the kind of bank notes received in payment of duties and taxes, Girard said:

"In regard to the Bank Notes received for duty or deposited therein on account of the United States, they have been regularly placed to the credit of the Treasurer of the United States and are mixed among the Bank Notes of this city. There is at present in my Bank \$560,000 Notes of Banks of this city.

"Notes of Stephen Girard's Bank in circulation \$230,000. Owing to an old custom established by the Banks who receive the Revenue of the United States the Banks who receive payment of the Bonds for duty are under the necessity to accommodate the investor who has to take up his Bonds. In several instances I have discounted for one half of the amt. of the duty, but my general rule is one third. Although I am desirous to comply with your directions respecting the funds which you are pleased to confide to the care of my Bank yet, owing to the present mode of conducting Banking operations, the funds receiv'd in my Bank on account of the United States cannot be distinguished according to the form of the schedule B without great inconvenience and additional expense particularly when Bank Notes under five dollars, fractions & small tickets as low as Two Cents are in circulation."

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July 1st the books for subscription to the stock of the new Bank were opened in twenty cities and subscriptions were received every week day till the afternoon of July 23d. The following day Girard wrote Mr. P. Degrand of Boston:

“By your favour of the 20th inst., just received I observe that at that period there was in your city upwards of 2 millions subscribed to the Bank of the United States, & that you calculated on 2 millions & a half.

“In conformity with the Law of the United States, the Commissioners appointed to receive in Philadelphia, subscriptions to the Bank of the United States, closed their books yesterday at 4 o'clock in the afternoon and at the same hour have resolved to publish the general subscription after having received the returns from the Commissioners of our sister states, which I hope will prove satisfactory, but should it happen that the Twenty Eight Millions are not subscribed I am disposed to give every aid which will accelerate the organization & operation of that Indispensable institution.”

This decision to take up any stock not subscribed for by the public was again announced in a letter to Mr. David Parish, who after the end of the war went back to Hamburg to become a partner in Parish & Co.

“The books for receiving subscriptions to the Bank of the United States were shut on the 23 ulto. all the returns are not yet come in but as far as it can be ascertained the 28,000,000 allotted to individuals will be nearly filled up & if any deficiency it will be trifling & taken up immediately after the books are reopened. By this you will observe that our financial business goes on as Pangloss says, everything for the best, & the United States will receive a solid bonus.” Writing to Mr. Stoney, he said: “As far as we can ascertain the subscription to the Bank of the United States will be a small deficiency which will be immediately filled up in the city.”

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The cause of the delay in ascertaining the amount subscribed was the time necessary to carry a letter from New Orleans to Philadelphia. Till the amount of stock taken in that city was reported the sum total could not be known. At last on the 25th of August Mr. Jones announced that he had received the packet from New Orleans and would keep it unopened "until the meeting of the Board tomorrow at noon." It was then found that the sum of all subscriptions was \$24,961,700 and the deficit \$3,038,300. For this Girard at once subscribed, to the great delight of Dallas, who wrote Madison August 26th: "The Bank subscription is filled. The deficit of the general returns (\$3,000,000) was taken by Mr. Girard in a single line to the great disappointment of the brokers and speculators."

"It is understood," said the *United States Gazette*, "that Stephen Girard yesterday subscribed for the above sum of *three millions and thirty-eight thousand three hundred dollars* which thus completes the capital stock authorized to be subscribed."

Many months later, when writing to David Parish in acknowledgment of his congratulations, Girard gave two reasons for this act.

"In subscribing largely I had two objects in view. The first was to promote the early operation of that indispensable institution, & the 2^d to prevent the increase of a multiplicity of proxies which had already accumulated so as to give more votes to 31 shares than to those who owned upwards of 20,000."

October 28th, 1816, the stockholders met at Girard's Bank "for the purpose of electing twenty directors."

What happened at the meeting is told in a letter to Mr. Stoney.

"Your favours of the 21st and 25th ultimo were received at a moment when Intrigue and corruption had formed a

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ticket for twenty Directors of the Bank of the United States who I am sorry to say appear to have been selected for the purpose of securing the presidency for Mr. Jones, the Cashiers office for Mr. Jonⁿ A. Smith & for other pecuniary views. Our election is now decided, & although Mr. Jacob Astor of New York & I have obtained, after election was open, that the names of Thomas M. Willing of this city & Mr. James Lloyd of Boston should be inserted in the ticket of Directors now elected, yet there are still several persons whose occupations, moral characters or pecuniary situation will not inspire that indispensable confidence which is absolutely necessary to establish & consolidate the credit of that institution. I hope that the stockholders, either Republicans or federalists, who reside in the United States will in future trust their proxy in to hands of independent persons who have no other object in view but that of promoting the Interest of said Bank of the United States.

“Should any of your friends or acquaintances desire to send their proxies for voting in their behalf in the next January election I recommend you to advise them to do it as soon as possible so they may be represented in due time. As my interest in the Bank of the U. S. is of some magnitude I will endeavour to act in conjunction with some of my capitalist friends in selecting the most prudent, independent & well qualified gentlemen & to place them on the ticket which we will support at the next election.”

The Directors having been elected, they met, chose William Jones to be president, and Jonathan Smith to be cashier, and voted to pay them \$5,000 a year each. When announcing this to Mr. Stoney, Girard informed him that “the Board had decided to open an office of discount and deposit at Charleston, and asked for a list of not more than thirteen, nor less than seven, names of men to

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serve as Directors, and of one to be Cashier of the branch bank, as required by the Charter. "It will be advisable to nominate the highest number having attention to place at the head of the list the names of those who will best answer so in case of reduction the first nominated may be retained."

The list was sent, but came to hand too late for the nomination, "which took place on the 18th inst., but at the election which will be on Monday the 25th inst.," said Girard, "I will do my best to comply with your wishes." As the election drew near he wrote Mr. Lloyd:

"Tomorrow is the day when the Directors of the Bank of the United States are to decide the fate of that institution. Having reason to believe that several important reflections & resolutions will be laid before that board, I am of opinion that it will be advisable for you, Major Butler, Mr. Thos. M. Willing & me to meet at my Banking House or any other place which will be most convenient to yourselves on Monday next at 10 o'clock in the morning for the purpose of composing our ideas on the several subjects which merit our individual attention." Part of the business transacted at the meeting was the election of the Directors, President, and Cashier, of the Charleston branch. On the Board were placed Girard's old friends, Mr. Fitzsimmons and Mr. Stoney, who had declined to serve. The gentleman chosen for President had declined unless his salary was \$2500 per year. The Directors of the parent bank had fixed the yearly salaries for the President and Cashier of a branch bank at \$1500 each, and neither accepted.

In October Monroe sent to Girard his commission as one of the five Government Directors of the Bank.

"The President," he wrote "by and with the advice and consent of the Senate, having appointed you a Di-

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rector of the Bank of the United States, I have now the honor to forward to you, your commission."

"Be so obliging as to assure the President of the United States of America," was the reply, "of my grateful acknowledgement for the confidence which he has been pleased to honor me with by appointing me a Director of the Bank of the United States established in this City, and to inform him that it being at present extremely inconvenient to me to attend to the duty of that office that I beg leave to resign."

November 25th was the day when the Directors were to meet and elect Directors, Presidents and Cashiers for the Various Offices of Discount and Deposit, or branches, of which sixteen were to be opened. As the time approached a score of letters came to Girard, as the most influential and active Director, submitting tickets to be put in nomination, recommending individuals, applying for clerkships, and even for the place of "porter or runner."

By the end of December quarters had been secured for the Bank and all was ready to begin business with the new year. Until this time both Commissioners and Directors had transacted their business in Stephen Girard's Banking House. Before leaving, the Board of Directors, in recognition of this courtesy, on December 24th, "Resolved: That Messrs. Ralston, Price and Evans be a committee to present to Mr. Girard the vote of thanks passed at the last meeting of the Board; and to ascertain the amount due him as a compensation for the accommodation offered by him to the Commissioners & Board of Directors, and also the amount of expenses incurred, and advances made by him, on account of the Bank."

The resolution of thanks reads:

"*Resolved:* That the Thanks of the Board of Di-

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rectors be presented to Mr. Girard for the accommodation he has been pleased to afford by the use of his Banking House to the Commissioners and Directors of the Bank of the United States."

The Committee in the discharge of this duty wrote: "The very great convenience and satisfactory accommodation afforded to the Commissioners for receiving subscriptions to the Capital Stock of the Bank of the United States, as also to the Directors of the Bank of the United States after the organization of the Board, merits, and receives the approbation of the Directors. This has been manifested by the vote of thanks which the undersigned as a Committee appointed for the purpose have great pleasure in herewith presenting. They also are instructed as will appear by another resolution enclosed, to ascertain the charge for the accommodation afforded, expenses incurred and advances made on account of the Bank." The letter was signed by Robert Ralston and Cadwalader Evans, Jr.

February 20th the banks in Philadelphia began paying specie for their notes.

Prophets of evil had foretold a run on the banks, but their experience was that of Girard, who, writing to Mr. Stoney on February 27th, said: "I was this day informed that from the moment when my Bank was opened on the 20th current, until 3 o'clock this afternoon, applications for specie which was made to my Bank has been principally for her notes, & that all the solid metal which has been paid out between those two periods is about \$6000."

CHAPTER XII

THE FRENCH REFUGEES

THE overthrow of Napoleon at Waterloo, and the return of the King to Paris, were followed by orders to the Chief of Police, Fouché, to prepare a list of names of men to be proscribed for the part they had taken in the Hundred Days Campaign. Fouché selected a hundred names; the Council agreed on fifty-nine, and July 24th the ordinance of proscription was issued. "We order," so it ran, "first that the general and officers who have betrayed the King before the 22^d of March, or who have attacked France and the government by force of arms, and those who by violence have possessed themselves of power, shall be seized and brought before competent court-martials in their respective divisions; viz. Ney, Labédoyere, Lallemand senior, Lallemand junior, Drouet d'Erlon, Lefebvre-Desnouettes, Anveile, Broyer, Gilly, Mouton-Duvernety, Grouchy, Clausel, Laborde, Debeille, Bertrand, Droust, Cambonne, Lavalette and Rovigo."

Nine-and-thirty others were ordered to leave Paris in thirty days and remain in the country, under the eye of Fouché, until expelled from France or ordered for trial. Among them were Réal, Vandamme, Drot, Cluis and Garnier de Saintes.

Most of these made their way to our country, where a few at once became the friends and business associates of Girard, and one, Henri Dominique Lallemand, the husband of his niece Henrietta. The first to make himself known was Grouchy. He arrived in Baltimore in January and at once wrote, under his assumed name, Charles Gauthier:

"Various circumstances prevented my leaving Europe

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on the first of October, as I had intended, sir, and it is only a few days since I arrived in the United States. This is what has prevented my handing you the letter Messrs. Laffitte & Co., Bankers in Paris, gave to me for you. As I do not expect to go to Philadelphia for three weeks, I think it well to send you a copy, and beg you to forward to me, by the first mail, under cover to Messrs. Creighton & Co., Merchants of Baltimore, all the letters addressed to me which Messrs. Laffitte or any other of my friends have probably sent to your address, and which I am very impatient to receive.

“I have another favor to ask of you. There should arrive immediately, at Philadelphia, a lady related to me, Madame Deveret. If she is in your city before I arrive there, I beg you have the goodness to notify me at once, and to give her all the assistance, pecuniary or otherwise, which she may need to aid her in finding a lodging in one of the boarding houses, the best in your city. In short surround her with all the care and all the attention her sex claims. I feel deeply the embarrassment of her situation, always difficult when one is for the first time alone in a country whose language one does not speak, because it is to her devoted courage that I owe the preservation of my life.

“Accept in advance, sir, the expression of my gratitude and assurance of my high esteem.”

C. Gauthier

M^e, C^t. de G.

The letter from Laffitte authorized Girard to pay M. Gauthier seven thousand francs and draw on them for that sum. Girard replied that although he had no funds with Perregaux, Laffitte & Co., all honor should be done to the credit they had given him.

M. Gauthier therefore notified Girard that he was

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about to draw on him "on the authority of the credit signed Perregaux, Laffitte & Co. of which I send you a copy." This in Girard's opinion was most unbusiness-like and he at once replied: "I do not at present need any funds in France, consequently I cannot take charge of your drafts, but can only honor the signature of my friends in Paris."

Creighton & Co. now sent the draft and the original letter of credit and asked to be informed if Girard would allow M. Gauthier the benefit of the exchange between Philadelphia and Paris, or pay the money at par. The answer was "having already wrote two letters to M. Charles Gauthier on the subject of your inquiry, I presume that he will communicate them to you."

"Being extremely occupied & desirous to avoid a tedious correspondence," he returned both draft and letter of credit.

"It was owing to the unsatisfactory manner in which you wrote to Mons. Gauthier, that we undertook in his behalf, to address a Letter to you. That Gentleman knows nothing of mercantile concerns, and being an unfortunate stranger in the country, we thought there could be nothing disrespectful towards you in our taking the management of the letter of credit given to him, on you, by Messrs. Perregaux Laffitte & Co."

"We shall now hand his Dft on you for 7000 frs, over to Mr. W^m. Cramond for collection." This Girard suffered to go to protest, "because M. Gauthier had no right to draw on me, but simply to present the letter of credit which he received from you, receive the amount and furnish the usual receipt," he wrote Perregaux, Laffitte & Co.

Scarcely had the protested draft been sent back, when Girard, to his surprise, was informed that M. Charles

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Gauthier was no other than the famous Emmanuel Comte de Grouchy, Marshal of France. This changed the situation at once, and March 26th Girard wrote Grouchy, then in New York:

"It was only yesterday that I was informed that M. Charles Gauthier who wrote me from Baltimore was the Maréchal de Grouchy who for reasons unknown to me, did not see fit to make himself known.

"I flatter myself, M. Maréchal, that in passing through Philadelphia, you will give me the pleasure of making your personal acquaintance, and of showing you the consideration in which I hold a man who had the courage to hazard his life and sacrifice his interests for the good of his country.

"I will take good care of the letters which I receive addressed to Mr. C. Gauthier, and the lady whom you recommend to me shall receive the attentions which she deserves.

"If you have not yet negotiated on France for the sum mentioned in the letter of credit of Messrs. Perregaux, Laffitte & Co., send it to me and I will settle this matter to your satisfaction." The Marshal in time came to Philadelphia, where he was sometimes known as Edmund Green, and during several years received from Girard letters and money sent by Perregaux, Laffitte & Co.

The next of the refugees to make himself known to Girard was Joseph Bonaparte, then living at Point Breeze, near Bordentown, New Jersey.

"You will find enclosed in duplicate," he wrote, "a letter to Messrs. Baring of London in which I have requested them to hold to your order the sum of ten thousand pounds sterling. I beg that you will attend to this matter and advise me when to inform you of its final disposal." The letter was signed Joseph C^t de Survilliers, and en-

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closed one addressed to the Barings, requesting them to hold subject to the order of Girard ten thousand pounds sterling, and signed J. Clary.

Girard now became his banker, honored his drafts, invested his funds, purchased his wine, advertised for a house he wished to rent in Philadelphia, bought lumber and window sash for his building operations, and advised him as to the wages to be paid his carpenters, painters, glaziers, and whom to employ.

Concerning the house wanted by Joseph Bonaparte, Girard wrote:

"I have not yet been able to find a house that would suit you. The advertisement on this subject is still in two of our papers. Mr. Meany intends to rent one of his houses; one is new and is situated on 9th Street between Spruce and Pine and the other on Walnut Street near 10th. If the accommodation and the houses suit you, I am sure that the proprietor, whom I know very well, would give you your choice." Girard, unfortunately, had overlooked the little formality of consulting Mrs. Meany, who now wrote:

"Mr. Bonaparte called on Captain Meany this morning to rent the house in which he now lives to which he in part consented, but as it would be very disagreeable and particularly inconvenient for me to move at this inclement season (December), and what I cannot possibly consent to, therefore if you will represent the case so as to abbreviate the difficulty you will ever oblige."

The house in question was that on Walnut Street for which a lease to the Count had already been signed by Mr. Meany. The rent was to be \$1200 a year. But when Girard forwarded a copy of Mrs. Meany's letter the Count wrote:

"The letter from Mrs. Meany surprised me after the

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lease was signed by her husband, and by Mr. Carret, agreeing to rent the house on Walnut Street from the first of January. As I do not care to hold to this agreement, since it appears to be disagreeable to Mrs. Meany, I will give it up cheerfully if Mr. Meany will return to Mr. Carret the contract which he signed and left with Mr. Meany, who promised to forward a duplicate signed by himself."

In the autumn of 1817 the Count rented a house, belonging to Girard, at the corner of Twelfth and Market Streets.

Next to appear was General Lefebvre-Desnouettes, who, under the assumed name of Charles Bernard, came, in June, 1816, with a letter from Perregaux, Laffitte & Co.

"This letter will be handed you by M. Charles Bernard who intends to spend some time in your country. Being allied to the family of the head of our firm we recommend him in the most particular manner to your kindness and we beg you to render him all the services which he may ask you.

"We propose to open an account for him with you for 6000 dollars * * * Being a stranger in your country M. Bernard doubtless will often have occasion to ask your good services." He soon left the city and his relations with Girard were merely financial. In one letter to Perregaux, Laffitte & Co. Girard says, that he forwards a letter of "Mr. Charles Bernard who set out a few days ago (July 29) to visit the states of Maryland and Virginia," and in another written in December, "Mr. Charles Bernard is still travelling. I have not received any news since his departure from here, but I believe he is counting on a larger sum than that which you authorized me to pay. In talking with him I understood that he expected to buy land and establish himself."

In August, 1816, however, the General wrote a letter

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which General Charles Lallemand delivered. "Having had the kindness to show to General Lallemand and myself the interest which you take in our plan to establish a settlement in the United States, we have already had an opportunity to talk to you of our plan for a settlement in Louisiana. I am just starting to visit the banks of the Ohio and the Mississippi (to look for?) lands we are going to cultivate. Idleness seems to me so great a calamity that in this project I have considered expediency less than the need of doing something useful. We wish to be independent of circumstances, and though we can no longer serve our country, we wish to be useful to society, as well as to ourselves and our families by working in the fields as did the ancient warriors of Rome, and as we have found some instances in this country.

"You have been kind enough to send my signature to Perregaux, Laffitte & Co. and to forward them my letter asking them for one thousand francs at the end of this year or the beginning of next. I shall be greatly obliged if you will let me know as soon as possible that you have news from them on this subject. But as we shall need some money this year in order to have some occupation I beg you to send four thousand dollars to General Lallemand. I have not been able to write the drafts in printed forms, not being able to procure any here, but if there is any irregularity I will change it as you wish. Besides they are written by hand and I have added another letter to my brother-in-law who has charge of all my business. He is a brother of Perregaux Laffitte.

"In case General Lallemand needs more money and you have received a reply from this banker, I shall be obliged if you will advance what he requires, and at New Orleans I will replace his signature by mine." The letter was signed "C. Lefebvre Desnouettes, C Bernard."

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As time passed Girard became more and more the business adviser and financial agent for Joseph Bonaparte, who soon appealed to him to buy the Estate of Mortfontaine.

"The property which I owned in France had to be alienated in obedience to an ordinance of Louis 18th dated last year. My wife who held my power of attorney found herself obliged to execute a sale to M. Nicholas Clary her brother, to whom I was indebted for a considerable sum.

"M. Clary, on consenting to become the owner of this property wished to do me a service. Being himself the proprietor of a very large estate it was more convenient for him to receive back the sums he had lent than increase the amount of his landed property already considerable. Nevertheless he became the owner of it; but it is not the less my duty to search for the means of relieving him of that part of my property which he bought to aid me.

"I am assured that he would regard himself as very fortunate if he could transfer the property to you, on the same terms he received it from me. I have reason to believe that my wife, as my proxy, could make with him arrangements to guarantee the amount I owe him, and that he would send you a deed of sale of my landed property, if you assure him in return, an annual income of twenty thousand dollars payable at your bank or in any other manner. He would bind himself never to reclaim the capital which will forever remain in your hands.

"If such an arrangement, or any other plan which would enable you, or your friends, to become owners of this estate, should enable you to pay me the annual rent above mentioned, which would enable me in that case to make suitable arrangements with M. Clary, you would render me a great service.

"Your correspondent could be instructed by you to

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prove the title and value of the estates in question. They are situated between 7 and 10 leagues from Paris, and are known by the general name of the Estate of Mortfontaine."

They composed, the letter states, "the ancient marquise of Mortmeillan, the lands of which are leased"; the "ancient Seigneurie de Mortfontaine"; the "ancient marquise de Veimar, leased"; the "ancient priory of Moussyle Neuf, leased"; the "Seigneurie de Survilliers, leased"; the "domain of Neufmoulins, leased"; and "the domain of St. Sulpice, leased." The rents and value of the lumber cut each year amounted to 120,000 francs.

"There are 8 or 10 Chateaux or separate houses which can be rented. The fishing and hunting are well known. More than six thousand acres are in one tract. The principal chateaux with its green houses, orangeries, theatre &c could not be built today for two million francs.

"All these particulars are given from memory. It would be necessary for your correspondent to get more positive information from M. Nicolas Clary to whom I am writing on this subject. After making these inquiries, whether my proposition suits you or not, you will always find me disposed, sir, to make any arrangement with you which you consider fair, and I shall consider any propositions which you may make to me as the result, less of a consideration of your personal interests, than of the desire you have to oblige me, a disposition of which I am fully convinced."

What reply Girard made cannot be found. That he declined is certain, and Mortfontaine in time was offered to Baring Brothers. Concerning this offer the Count wrote, in October:

"I spoke to you the other evening of the reasons which induce me to offer Messrs. Baring the opportunity to buy my estates in France. I am offering them for four hun-

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dred thousand dollars in cash; or five hundred thousand payable in five years.

"This offer does not bind me to Messrs. Baring. I regard it as to their advantage. If it would be convenient for you it would be most agreeable to me to have these funds in your Bank. I intend to use them for my daily and yearly expenses. I shall be content with four hundred thousand dollars on which you would pay me at the rate of 5 pr ct, and you may hold the capital as long as you wish.

"The reason I write you thus is, that I have been told you have a brother in France who would be a suitable person to execute any orders which you might think proper to give concerning this new property.

"I may add that if it would be convenient for you to transfer the house which I occupy, and also the adjoining property I will accept them in part payment for my estate. Or if it suits you better not to sell them but to lease them to me for a long term of years, you may retain the rent from the interest on my investment.

"I beg you to think over the proposition, and if it suits you, I will send you a letter for M. Clary who will make the sale to your brother if his opinion confirms yours.

"I recall to you that M. Clary is at this time the legal owner of this estate, but he will follow the arrangement I suggest to him."

Girard replied promptly: "It does not suit me to figure as a great land owner in a country to which I shall never go, and under a government hostile to republicans. As to the only brother I have in the world he has long since retired to his little property near Perigueux, where he lives quietly; far away from all intrigues, after having played the part of a republican."

"I have informed you that I had in the Indian Seas, three ships which ought to return to Amsterdam where

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some of them will be in March, April or May next. If you think one of these opportunities might be useful to your family would it not be well for you to let me know your plans in order that I may act accordingly?"

In May, 1817, while the *Montesquieu* was at Amsterdam, Madame Joseph Bonaparte applied to Captain McLeveen for passage and was refused. "Madame Joseph Bonaparte," said the Captain in his report to Girard, "has made application for passage in the *Montesquieu* to Philadelphia, which agreeable to your instructions I could not comply with. I have therefore sent her a refusal." As soon as Girard knew this he wrote a note of explanation to the Count. "Since the time when the English began to trouble our flag, under the pretext that there were on board passengers or freight belonging to the enemy, I have decided to give orders to my captains to take only American sailors, and merchandise, specie, and furniture shipped for my account. I am sorry that this precaution on my part deprived your family of the use of my ship."

"I received your letter of the 19th," was the reply. "I regret very much that my family were not able to take advantage of your ship, the *Montesquieu*, for their passage. After the very attractive offer which you made me I wrote to my wife in the month of January that I wished her to embark in this vessel which you so kindly offered me."

A letter to Messrs. Crommelin & Son, written a week later, instructs him to secure passage for Madame Bonaparte and her family. "Being informed that the family of Mr. Joseph Cte de Survilliers are desirous to come over to this country, I take the liberty to request that you will facilitate their departure on board one of my ships which will sail direct for this port, provided their embarkment will not detain the ship.

"As I have directed the masters of my ships not to

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take passengers, nor goods or furniture of any kind, or freight, it is probable that they will object to take the family &c, in question, therefore beg that in that case you will communicate my instructions to the master of the ship to whom the application will be made. In regard to the expenses requisite for the accommodation of that family, please to do the needful & send me a separate account of the disbursements thereof."

These courtesies were much appreciated by the Count, who wrote:

"I send you a bust of the Emperor which I have received from Italy. The likeness is perfect. The work is by Canova. I thought it might be agreeable to you. I beg you to receive it as a testimonial of my esteem and my attachment."

"I received the bust which you had the kindness to send me," was the reply. "I will take the greatest care of it."

Among the many other services Girard was called on to perform, was the recovery of some valuable articles hidden in Switzerland. For this purpose the Count de Survilliers selected his secretary, Louis Mailliard, and applied to Girard to procure a vessel in which he could sail without suspicion; for letters to correspondents in Amsterdam; and for such employment by Girard while on the mission as would seem to make him no more than a commercial agent. Early in 1817 passage was found on a suitable ship sailing from New York, as it was not thought wise to start from Philadelphia; but ere Mailliard was able to sail the Count wrote:

"Mr. Mailliard's departure will be delayed for some weeks in consequence of the letters received from my family yesterday. I beg you not to do anything more respecting him at this time.

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"I still depend on your letter to Messrs. Baring for the property." By the end of a fortnight there seems to have been no cause for further delay and on the first of February, 1817, the Count wrote:

"The person for whom I asked you to write to your correspondents at Amsterdam is named Louis Mailliard. I beg you to open a credit for him of two thousand gourdes in Amsterdam. I desire that he shall travel as if he were one of your clerks, employed in your service. I should wish, also, that he might have a letter for the captain of such of your ships as might be in some port of Holland this spring or early summer, and that he might also have a letter for the supercargo of the ship *Montesquieu* in whom you have told me you place implicit confidence so that if it should happen that M. Mailliard wished to entrust some articles, for you, to him, he would willingly take charge of them and give as much attention to them as he does to your most important affairs.

"If it is possible for you to procure an American passport for Mr. Mailliard, so that he could travel absolutely as an American, and as a man employed in your service, it would be advantageous for the greater certainty of the success of the commission I have entrusted to him. Will you therefore kindly give yourself the trouble to do what is necessary for this. You understand that it is most important that I appear entirely foreign to this affair, and you know better than I how much secrecy is necessary in everything, and how difficult it is to obtain when one addresses himself to more than one person."

Girard now wrote drafts of three letters; one to Crommelin & Son; another to Mr. Edward George, and the third of instructions to Louis Mailliard, and forwarded them to the Count for criticism. That to Crommelin set forth that having occasion to send a person of confidence

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to visit some manufacturers in Frankfort, Mayence and other nearby cities, in order to ascertain the quality & prices of articles made in those places, he had given instructions on the subject to Mr. Louis Mailliard, the bearer of the letter, who was going to New York to embark for Amsterdam. Crommelin & Co. were further requested to keep 5,000 guilders subject to Mailliard's order, and as he had no acquaintance abroad, give him letters of introduction to persons in Frankfort and Mayence. Should he place in their hands any letters or packages addressed to Girard, they were requested to forward them by the first safe conveyance. The letter to Mr. George was, in substance, the same.

Two months passed before the Count replied: "You will find enclosed the notes you kindly sent me for examination. They seem suitable to accomplish my end. I only ask that you would say a word about Switzerland so that the omission of that country, in the instructions to the man who must necessarily go there, may not appear strange.

"Mr. Mailliard ought to embark from New York. * * If you know of a vessel about to sail from New York for Holland and if you can give M. Mailliard a letter of introduction to the owners or to your correspondents in that city it would be most useful to him."

The word "Switzerland" was accordingly inserted in the letters to Crommelin & Son and Mr. George, and in the instructions to M. Mailliard, which were very long, but may be given in substance. M. Mailliard was to go to New York, embark on the first vessel for Amsterdam, and on arrival there deliver his letter to Crommelin & Son; take such letters as they might give him, and visit the several manufacturers at Frankfort, Mayence and any other place, and report on the city where the goods could be purchased on the best terms.

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"After having thus communicated me the several informations which you have obtained, & the remarks which you have made, you are at liberty to come back to Amsterdam, or to travel for your amusement from one place to another," having attention to examine, from time to time, "such articles" as were manufactured in the cities visited.

"While in Frankfort or Mentz should you have sufficient reason to believe that there are in Switzerland some manufactured goods suitable for this market which can be obtained on reasonable terms, I also request that you will proceed thereto" and report results.

"Unforeseen circumstances" prevented the departure of M. Mailliard till late in August. As he was about to set off, the Comte de Survilliers wrote:

"I desire that M. Mailliard, to whom you gave letters to your correspondents in Europe, should deliver, in Switzerland, where he is going, a small box containing valuable articles, to a confidential person who will forward it to you by a perfectly safe way, by one of your captains, or otherwise. Meanwhile he would hold it on deposit and to your order.

"Mr. David Parish would be very suitable for this purpose, in person or by one of his representatives, but as there is no certainty of finding him at Antwerp, I wish you would write at the same time, to your correspondents at Amsterdam, Messrs. Crommelin, & M. Mailliard would apply to these gentlemen in default of finding Mr. Parish."

Letters were at once written to Mr. Parish and Crommelin & Son stating that very probably shortly after "M. Mailliard's arrival in the interior of your country that gentleman will have occasion to forward you a small package containing important objects to be kept by you

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subject to my order. It is highly necessary that a person of a good character & repute well known to you, should accompany M. Mailliard for the purpose of taking charge of the package alluded to, & delivering the same to you. Therefore, relying on your friendly disposition to my interests, I take the liberty to request that you will select & procure to aid M. Mailliard a person fully competent to execute & accomplish the object in question," and charge his expenses to Girard. The letter to Mr. Parish was to the same effect. The journey was made in safety, the box was recovered, and in May, 1818, delivered to the Comte de Survilliers, and carefully stored in Girard's Bank.

Among the humbler of the refugees was William Tell Poussin, who one day in December, 1815, presented a letter of introduction from M. Pierre Laffitte. "At the request of one of our particular friends we take the liberty of recommending to you, the bearer of this, M. William Tell Poussin a decendant of the celebrated Poussin, landscape painter.

"This young man who was a pupil of Messrs. Pescier & Fontaine, architects for the government, who deserves moreover great esteem for his personal qualities, is going to your country to use his talents in architecture and painting. We beg you sir to render him any service which he may ask of your kindness, and to pay him, less your expenses, the sum of one thousand francs. * *

"We like to think that you will kindly grant him your good council and your support, of which he will have great need, in order to assure the success of his journey."

Making his way to Washington, he found employment under Latrobe, who, he complained to Girard, "has made use of what little talent I possess, without giving me any compensation: Far from it; indeed I have been unable to obtain from him the little money that is due me

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since I have been with him. Again and again I have made up my mind to leave this man who scatters gold with his mouth and poison by his actions, but I reflected that I was not losing my time at the Capitol since I was becoming familiar with the customs of the country and was learning the English language." * * * "Permit me also, dear sir, to ask you for your advice in regard to the conduct I ought to adopt in a country"—where everything was new to him.

"The people of the United States," Girard replied, "have as a rule good qualities, they are polite without affectation, very affable, reserved, and disposed to help those whom they believe to be their friends. I advise you to adopt their manners, in order to obtain their esteem and confidence, which added to your talents and natural activity, will provide you the means of rising above those who are jealous of you. As to those who may be in your debt, you must take the way of forbearance with them, even giving them to understand that you are disposed to help them as much as you are able, and if you cannot obtain anything and your debtor has sufficient means to pay you, the law must be your last resource, and then you should apply to a reputable lawyer. My Washington friend is at present in Philadelphia. I will speak to him about you, & if my name can help you, you may say that I know you, & that you were recommended to me by one of the foremost bankers of Paris."

Some months passed before M. Poussin wrote again; but when he did, in March, 1817, it was to say how much he had profited by the advice. "I am very glad to be able to tell you that, sustained by your good advice, I have at last obtained my reward for the patience with which I have put up with my inferior position at the Capitol. I have just been appointed Captain in the Topographical

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Engineer Corps, and have been ordered to New Orleans where I am to meet General Bernard." The General Bernard mentioned was Simon Bertrand Bernard.

The friendship thus begun was never interrupted. Letters were exchanged from time to time, small sums of money were sent to Girard for safe keeping and were so well invested that after his death the executors paid to Mr. Poussin over \$16,000.

Of all the refugees who found a welcome at the North Water Street house Henri Dominique Lallemand became the favorite. He entered the army of the French Republic a mere lad, served with distinction under Napoleon, rejoined him in the "hundred days" campaign, fought at Waterloo and after the fall of his chief followed Joseph Bonaparte to the United States. A year later his brother joined him. Charles François Antoine Lallemand, another soldier of the Republic, became a brigadier-general under Napoleon, was made a baron in 1811, and after the return from Elba a member of the Chamber of Peers. At Waterloo he was General of Division, and when the end came was sent to make terms for the surrender to the British commander Maitland. Gladly would he have gone with the fallen Emperor to St. Helena, but the request was refused and after a short imprisonment on Malta he, too, came to Philadelphia to share the fate of his exiled countrymen.

From leaders in war the two brothers now became leaders in peace, and joined heartily in the movement to colonize the host of old soldiers who had found a refuge in Philadelphia. The resources of most were very slender, Some had none at all. Long service in the army had unfitted them for quick adjustment to conditions in this country. They needed leadership in peace and found it in the men of rank and influence among them who, towards the close of 1816, organized the French Agricultural

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and Manufacturing Society, or, as it was often called, the Society for the Cultivation of the Vine and the Olive. General Charles Lallemand was made President. Among the subscribers were Maréchal Grouchy, Lefebvre-Desnouettes, Clausel and Henri Lallemand. As the purpose of the founders was to obtain a grant of land somewhere in the Southern states, in a section where the climate was not unlike that of France, the Secretary, Colonel Nicholas Simon Parmentier, was sent to Washington to persuade Congress to make the desired grant. By act of March seventeenth, 1817, the Secretary of the Treasury was authorized to sell to the Society four townships, each six miles square, at two dollars an acre, payable in fourteen years. The townships chosen lay along the Tombigbee River in Alabama, in what is now Marengo County, and thither in December, 1817, and April, 1818, two parties set off by sea. By them was founded the city of Demopolis; but finding the site was outside the grant most of the settlers removed to a new town called Aigleville. Among the settlers was Victoire George, wife of Edward George, the supercargo on several of Girard's ships.

In this enterprise the brothers Lallemand took no part. They had long been planning a settlement somewhere beyond the Mississippi River, chiefly because that region had once belonged to France, and December 17th, 1817, a party of exiles, under General Rigaud, sailed from Philadelphia for Mobile in the brig *Huntress*. At Mobile the party was to have been met by a privateer which was to furnish supplies, negroes, ammunition and transportation to Galveston. Unhappily the privateer was driven by storms to San Domingo and wrecked, and General Rigaud was forced to promise the Captain of the *Huntress* one thousand dollars to take the colonists on to Texas.

The brothers Lallemand went by another vessel to

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New Orleans. Before leaving, Henri Lallemand was married with much ceremony, in the presence of the Comte de Survilliers and many French officers of rank, to Henriette Girard.

The safe arrival of the brothers was announced to Girard in a letter from Henri Lallemand.

"I arrived here on the second of February, as I wrote Henriette, after a long voyage on board an inferior vessel. The weather is detestable in this country; it rains all the time. The oldest inhabitants do not remember such a rigorous winter; a great many animals on the immense prairies of Opelousas and Atacapa froze to death. * * * Our colonial enterprize is going on well. We are constantly advancing towards our goal, albeit prudently and slowly."

In his next letter, written two weeks later he reports:

"My brother left yesterday for the French settlement. We are beginning near Louisiana, in a beautiful, fertile and extensive country. I shall not go there until I know that he has arrived.

"Our first efforts have been successful and we shall follow them up with constancy and prudence. Our settlers from Philadelphia have arrived on the ground and have already planted corn.

"As soon as this settlement begins to be talked about (for the present we are still keeping it secret) detractors and slanderers, of the kind that is always base and disposed to do evil, will hasten to spread abroad all kinds of calumnies; but we care little for that. Strong in the righteousness of our object, we shall go straight to our goal. Our enterprise is absolutely honorable, and we shall always have an answer ready for any objections, if the objector and his statements are worthy of reply. For the rest, time will confirm whatever good is said of our intentions and our object.

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"Our sole purpose is to settle on a soil that is both rich and productive, and to demand the product which it cannot refuse to industrious men. We hope we shall be permitted to enjoy peace and liberty, and we are fully determined to maintain and preserve them."

The site chosen for the settlement, called Champ d'Asile, was on the Trinity River, in Texas, concerning which he wrote from New Orleans in March:

"In my letter of the 20th I informed you of my brother's departure for our new settlement on the Trinity River. I remain here to attend to certain business relating to the settlement. I am expecting to hear from him every day, and as soon as I receive news I shall leave this city where everything is extremely dear and where time hangs heavy on my hands. I should much prefer being at the settlement, I assure you, and still more with my wife did it not interfere with my scheme. It is hard to go away after two months of married life and leave a wife whom one loves tenderly. You cannot but admit it, and it is not surprising that I should wish to see her again. However in this world a man must learn to deny himself for the sake of business, and fatigue, danger and privation are nothing to me providing I succeed in my undertakings. Besides they have so long been a part of my daily life that I could hardly exist without them. But for all that there are some things that are extremely annoying. For instance, I find it extremely annoying that here everything is so exorbitantly dear, because a man with small means has to economize in every little detail and the slightest rise in prices embarrasses him. A man cannot do as much here today with \$6000 as he could last year with \$4000. Provisions, labor, transportation by boat, in fact everything, has gone up with cotton which is 34 cents."

"I have the honor of sending you two newspapers

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which mention the settlements established by my brother and myself on the Trinity River in the province of Texas. Although a man is not called on to answer an unsigned article, I thought it better not to maintain silence in this case because of the incorrect reference to yourself, as well as to the Comte de Survilliers, and Maréchal de Grouchy, as my silence might have been misinterpreted. You will see that my answers are short and concise, as they ought to be. When one's intentions are pure, one has nothing to fear, and one does not need to indulge in fine phrases in replying to calumnies. The people here have shown their contempt for this attack of the journalist and expressed their indignation to me, and have urged me not to make any further reply, in the future. The newspaper said no more but, on the contrary, was kind enough the next day to give a fine description of the country, of the fertility of the land and beauty of the sunshine.

"I have just heard from my brother, who arrived on the Trinity River after many hardships caused by the bad state of the roads and bad weather. He is getting the colonists settled on the banks of the river. I am sending out plants and seeds from here. He was obliged to buy oxen, and horses broken to work, on the Attakapas, to be used until some can be caught from the wild herds in the country.

"As there is no need for our both being in the settlement, I am going to take advantage to go and see my wife."

Girard appears to have given M. Lallemand's letter of February to the press. Be this as it may, the letter appeared in the newspapers and brought one from Joseph Wismer of Egg Harbor.

"I have with a great deal of pleasure frequently seen in the public papers *Emigrations from France* of your

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countrymen to the United States as an Asylum from a despotic and tyrannical government, and I hail them to our happy shores and wish them peace and prosperity. I understand numbers of them have made purchases of extensive tracts of the most fertile lands in the Alabama Territory, and that others is forming a plan to take possession of the province of Texas.

"I have seen a letter in circulation in the public papers, said to be written by H. Lallemand, that the French Colonists who have gone to settle on the Trinity River have no other object than the choice of productive lands, where they might procure laborers, and cattle at low prices, and from which they might derive prompt and productive revenues. He says they look for those advantages which are to be derived from a rich soil, active laborious men, and that they have no other wish, than to cultivate them and enjoy the tranquility necessary to such an Establishment.

"It is such men as General Lallemand, Marshall Grouchy, &c, &c., who is possessed of large capital that can do their adopted country essential services. The Geography of those countries has claimed my most minute attention & the more I have examined, the more I am convinced they will ere long be the most important, *and as I understand Practical Surveying*, should be much pleased to go out to those countries."

Mr. Wismer was owner of "a vessel drawing a small draft of water, say 8 feet when loaded," and had "thought probably she would answer to take passengers to the Mobile or some of the French settlements" and asked for information. No answer can be found.

General Henri Lallemand reached Philadelphia about the middle of May and towards the close of the month reviewed the state of the colony in a letter to Girard.

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Before leaving New Orleans he had been forced to borrow \$850 with which to buy provisions for the colony. This note fell due June 1st. General Rigaud was forced to draw a note for \$1000 "in favor of Captain Matthews of Philadelphia, the commander of the boat, for going to Galveston Bay instead of Mobile, the point for which it had been chartered. My brother who arrived in Galveston Bay on the 19th of February, as Captain Matthews was on the point of leaving was forced to indorse this note, to avoid displeasing the Captain and keeping him from making an outcry in New Orleans. It was important at this early stage not to have any complaints against us." The note had arrived in Philadelphia and Henri Lallemand had been asked to pay it for his brother. "I foresee that I shall be forced to settle with him to keep him from making complaints against the French who made him go to Galveston Bay and indirectly against my brother who is with them. But I will not pay him \$1000. It is too much. I hope to get him to compromise on \$500. Accordingly the sum for which I have immediate need is \$1350." Would Girard loan him this, accepting as security twenty-two shares "of the Great Bank" which he did not wish to sell at the then low price of \$137 per share? "I must not risk my wife's subsistence by risking all I have. I must at least keep for myself enough to buy a little farm on which to live as a farmer, if we do not succeed in this enterprise.

"This enterprise ought to bring us a great fortune, if it turns out well, because we are certain to make a good sale of a part of the land. It is a beautiful country where Americans will soon come on account of the fertility of the soil, and because negroes may be brought there by the slave-trade, a very great advantage."

In a postscript he added: "You will perhaps say we

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did not plan our movements properly, hence we are embarrassed at the beginning. I assure you we calculated very accurately what was necessary, but everything was infinitely more expensive at New Orleans than the year before, and we did not find the captain of the privateer who was to give us transportation, and supply us with powder, lead, cannon for use in case of need, captured negroes to till the soil regularly and produce provisions. He was shipwrecked off Cape Antonio and forced to take refuge on the island of San Domingo. Moreover the President's message at the opening of Congress, unfavorable to the patriots of the South, kept two persons from furnishing us according to agreement, with flour and tools. It is not for me to decide whether the President has done well or ill. * * * What is certain, however, is that this message has injured us. Who could foresee it? Who could anticipate the shipwreck of the Captain of the privateer who was coöperating with us?

"What we had most to fear, what we were bound carefully to avoid, was displeasing the American Government, putting it in a position of being forced to declare against us. This, which was most difficult, we have done. We were also bound to put ourselves in a safe position with the Spanish Government, to give it no excuse to complain to the American that we had made an armed invasion of its territory from American soil. We are within our rights in this respect."

His fine hopes were blasted. General Henri Lallemand never went back to Texas. The Spaniards drove the settlers from "Azilume sur la riviere Trinité," General Charles Lallemand returned to the United States, made a living teaching school in New York, and after the revolution of 1830 returned to France, recovered his estates and titles, and took his seat in the Chamber of Peers.

CHAPTER XIII

BANK OF THE UNITED STATES

DURING the years which followed the return of peace Girard found little profit in European cargoes brought to Philadelphia. The times grew worse and worse each year. The markets were overstocked with British goods, and such articles as his ships brought from the East, ebony wood, sugar, pepper, Java and Bourbon coffee, were often sent to Europe for a market. His favorite "circuitous voyage" for a ship was from Charleston with rice, on which he often made a profit of fifty per cent, or cotton and rice, to Amsterdam, thence to Lisbon for Spanish milled dollars, and thence to Canton, Java, Batavia, Isle of France or Bourbon, back to Amsterdam and once more to the East, and then home. Loaded with cotton, rice and tobacco, a ship would sail for Bremen, go on to St. Petersburg for iron, ravens duck and hemp and come back to Philadelphia. At other times the voyage would be to Amsterdam, stopping at Lisbon on the return for salt as ballast and Spanish milled dollars for Stephen Girard's Bank. Outward cargoes costing \$70,000 were of common occurrence. The *North America* and *Montesquieu* often carried goods valued at over \$160,000. With cotton at 26½ cents a pound he counted on nothing but "a good freight." When flour reached \$12½ and \$14 per barrel, as it did in 1817, he ceased to buy. When coffee could be bought at \$8 a picul and sugar at \$6¾ a picul in Java his profit on the sale of the cargo in Amsterdam was often \$40,000. Scarce a ship returned from Europe without specie for his bank and rarely with a cargo. The delay necessary to purchase and load left him no profits.

The specie was greatly needed. For a year past it had

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been growing scarcer and scarcer, due in part to "the great demand," said Girard, "which we have from the Eastward, New York, and this city for the India ships which are about sailing.

"Although our India trade at present is as unprofitable as any other, yet the expectation of making money induces some of our merchants and tradesmen to obtain money on respondentia from the Insurance Offices at a heavy interest and with that credit they harass the Banks for specie who generally pay them in coin of the U. S. or in small change which they invest in Spanish Dollars at the rate of 3 per cent. advance. That circumstance compels the Banks to reduce their discounts and renders money extremely scarce so as to reduce the price of U. S. 6 per cent. stock to $4\frac{1}{2}$ to $4\frac{3}{4}$, and U. S. Bank stock to 43 per cent. without demand."

Under these conditions, Girard, wishing to increase "the active capital" of his Bank "to meet the application of her best customers without increasing the issue of her Bank notes, particularly when our Banks are limiting their business to the renewal of old accommodations," decided to sell some of his United States Loan of 1813, and some shares of the Bank of the United States. He began by transferring to Mr. Stoney \$100,000 of United States 6 per cent stock, to be sold in Charleston, for it would never do to have it known in Philadelphia that he was selling. As soon as this was sold, another \$100,000 of the same stock was transferred to Mr. Stoney. "Although I have not necessitated to sell, yet as the operation of my Bank will neat me something more than the 6 per cent. will do at its present advance price I am desirous to sell a part of the stock which I have on hand." If possible, Mr. Stoney was to buy three or four thousand Spanish Doubloons at \$15.25 each. For these shares there was no demand; but they must be sold and Mr. Stoney was

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directed "to dispose of it as fast as possible," and two or three thousand Bank Shares, employing "an intelligent and discrete man of confidence."

The offer was made, but the price asked, \$140 a share, depended, Mr. Stoney wrote, on the dividend. If four per cent were declared, \$140 could be obtained; otherwise it could not. By the close of July the price had declined to 128 in Philadelphia and 135 in Charleston. The fall in Philadelphia, Girard attributed "principally to the absence of our capitalists who are absent in the country," and "to the little confidence which some of our citizens appear to have in the administration of that Bank. Although I do not quite think as they do, I have reason to believe that the several unmerited publications will impede the credit of that institution."

September 1st, 1818, a few shares "not worth mentioning" were sold at 130. Girard then limited his price at 127 clear of all charges. The fall in price, he wrote, "may be attributed to the conduct of those who have managed the business of that Bank, who I am sorry to say have created a great number of enemies to that institution. That circumstance was one of the principal causes which in the first instance induced me to request you to sell some of that stock on my acct. & I sincerely regret that it was not done, more particularly as I see no prospect of amelioration except a complete change of men and system takes place."

There were some who thought the price would rise; but, he wrote, "when I take into view the daily increase of enemies to a Bank and its 19 associates under the name of Offices of Discount and Deposit, whose credit depends on prudent and uniformly impartial good management, which can alone inspire public confidence and create friends (I) am disposed to be silent and to sell as fast as practicable."

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“Several of our well informed citizens are of opinion that some of the leaders of the Bank of the U. S., are endeavouring to lower the stock of that Bank in view to speculate thereon, and by that means to make up the great loss which they will probably sustain on the shares which they have purchased from 35 to upwards of 50 per cent advance; but let it be as it may I wish to sell.”

In October he was willing to take 125 for his Bank stock. “Indeed when I take into view the increase of enemies to that Bank, I am alarmed and desirous to sell and realize what I have on hand.” This anxiety arose from his belief that “owing to the improper management of the interests of that institution her stock is on a rapid decline which I can assure you hurts my feelings, particularly when I take into view that I have contributed towards obtaining the charter of that institution more than any living man in Pennsylvania. But nothing will remedy her present confused embarrassment except a judicious change of directors and officers, and then it is my opinion that it will take them three or four years of peace and tranquility to put her on the path of rising gradually to her intended degree of National Bank of the United States.”

He was not mistaken. Day by day the shares declined in price.

October twelfth 121 was asked and 119 bid; a week later 117 was asked and 115 bid; and before the month closed 114½ was asked and 112 offered. Early in the month, when 121 was asked in Philadelphia, sixty-eight of his shares were sold for 127 in Charleston. Later an offer of 123 found no buyer. “There is a great disposition,” wrote Mr. Stoney, “to call a meeting of the stockholders and enquire into the cause and if possible to remedy the evil.” To this he replied:

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“I hope the Southern planters and others who are in favor of a change will send in time their proxies to an independent man who does not wish to be a director and who has some influence among the money people. A person who wishes to be a Director is often disposed to compromise in hopes to be on the direction. As to myself I do not wish to be charged with the proxies, nor to be one of the directors. At the solicitation of my much regretted friend the late Alexr Dallas, Esq., I have served as Commissioner & Director of the Bank of the United States for upwards of two years, and I would not consent to go through the same unpleasant business, even if it was associated with my best friends. Although I would strongly recommend the stockholders of that Bank to endeavour to effect a total change of the Direction at the next election, yet I do not believe that they will accomplish that desirable object. Nevertheless, I am strongly impressed with the idea that it will pave the way to obtain competent men for 1820.”

November 1st in Charleston the price offered was \$108, but an offer of 225 of Girard's shares at 110 was accepted. On hearing this Mr. Stoney was instructed to make no more sales, as the stock was then selling at \$111 in Philadelphia. One hundred shares were soon sold at 112.

The threatened meeting of the South Carolina stockholders was held early in November. “The stockholders of the Bank of the United States,” Mr. Stoney reported, “have held a meeting and unanimously agreed to support Langdon Cheves, who has agreed to serve if elected, and run for President of the Bank. Committees of correspondence have been appointed who will enter into arrangements with the stockholders in the different states. The great body of the wealthy stockholders in this city yesterday (November 11th) waited on me to request the

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favour of my advising you of the measure and if you approved of their choice, you would be kind enough to use your influence to make a general change. I assured them that I should respectfully make known their wishes to you, for which they returned their thanks."

"I am very thankful to the gentlemen stockholders of the Bank of the United States for the trouble which they have taken in calling on you to request you to inform me of their decision to endeavour to change the present Direction of that Bank. Although I accord with them as it respects a change and intend to support the general ticket, which will embrace the sole object to reestablish the credit of a Bank surrounded with immense resources, yet as a private Banker-I cannot act publicly.

"I am extremely sorry to observe that there is a resolution before Congress respecting the Bank of the United States. I am of opinion that all of their debates on the subject will not change the doctrine of the present direction but that it will powerfully increase the discredit of that valuable institution. The stockholders have an undoubted right to change the Directors; let it be done without scandal; the credit of that Bank will brighten every day until she obtains her former splendor which was the epoch when she commenced her first banking operations."

In Boston the conduct of the Bank caused as much discontent as in Charleston. December 28, 1818, a meeting of "the Republican Citizens" was held "to take into consideration the best means of making the Bank of the United States most useful to the great body of the People." At that Boston meeting a memorial addressed to the Republican stockholders was adopted and copies ordered to be "forwarded to the President of the United States, through the Secretary of the Treasury; to the President of U. S. Bank; to Stephen Girard, Esq. of Philadelphia, & to

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the Republican stockholders of the United States Bank of Baltimore."

The complaint arose from political conditions. "At the time of the first organization of the U. S. Bank the Govt of the U. S. held seven millions of the stock and had a right to name five directors. A large majority of the stockholders was Republican.

"It was therefore very clear that U. S. Bank could be made a very powerful engine for the Republican cause, or, in other words, for the good of the People generally. To produce this result it was necessary only that the Bank should show a firm determination to assist the Republicans & the middling interest. This would secure to the Bank the cordial support of the great body of the People, & of course that of Congress and the Cabinet.

"Forseeing this result the enemies of the welfare of the People bent their aim to get the Bank to adopt a course which would place the Government, the People, Congress and the Bank at war with one another. For what other purpose could any of the men who had so lately taken a decided part with the Enemy be introduced into the Direction of the Bank?" In short, the Boston Office of Discount and Deposit was a Federalist Bank and therefore hostile to "the Republican cause & the middling interests," and the Republican stockholders were besought to change the Directors.

In acknowledging the receipt of the memorial Girard wrote that he was extremely sorry to observe, that "the most valuable & useful class of your citizens have cause to complain of the conduct of an institution which has been created for the good of the people generally & for facilitating the operations of the government of our country," and promised to do his "best to meet the views of our Republican friends as far as practicable."

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The election for Directors was held on the fourth of January, 1819, and was described in a letter to Mr. Stoney. "Yesterday commenced the election for 20 Directors of the Bank U. S. I expended about two hours in the election room & was much pleased to observe that the efforts made by the S. Carolina stockholders indicated a future change of directors of that institution. The friends of Mr. Jones have headed their ticket with his name in view to secure him the chair if he should not be confirmed by the Senate. Mr. Langdon Cheves will in my opinion be elected, but a great majority of those elected will be of the old stock. Therefore no sound system of Banking operations can be expected from them.

"The intention of the S. Carolina stockholders is correct & has induced me to vote the ticket made by their committee although better names could have been selected. * * *

"I am just informed that Mr. Jones' ticket has carried the election by a great majority. I sincerely hope that Mr. Cheves will take his seat at the board until the next election when with the aid of his friends it is probable that in 1820 he will be elected President of the Bank of the U. S.

"The few gentlemen of this city who represent the S. Carolina interest have had too much confidence in the honor of the stock jobbers.

"The Bank U. S. was this morning in the greatest confusion. They have declared a dividend of $2\frac{1}{2}$ per cent for the last six months. A few shares of that Bank were this day sold at 4 pr. cent advance. The highest price asked for them is 5 pr. cent."

"The directors elected at the last election have taken their seats and will no doubt keep up the old system. The shares of that institution continue on the decline. I am

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informed that no higher offer than one and a half per ct advance was this day made.

“The friends of the Bank who are desirous to place, at the election which will take place on the first Monday in Jany 1820, respectable, independent and competent men to manage the business of that institution, should take prompt and powerful steps to accomplish that desirable change. For that purpose I would recommend an immediate application to Congress for a change, or an amendment, to that part of the charter which refers to the rule of voting, so every stockholder who is a citizen and resides in the U. S. be entitled to one vote for each share which he has in that Bank. * * * The excuse which is generally given that the Bk. U. S. is a powerful engine which might prove fatal to the liberty of the People if its direction should fall into the hands of men who are hostile to our constitution &c, is incorrect. Money men are generally peaceable & desirous to have their persons & property protected by their government. The memorial alluded to should also embrace a clause by which every stockholder who has borrowed money on his shares should not be entitled to vote the shares which he has given as collateral security.

“Should the friends of the Bk. U. S. judge advisable to apply to Congress on the ground before mentioned, please to send me a copy of the memorial adding the members to whom it is to be addressed, so I may obtain signatures and follow your example & if Congress refuses to act in that case the money stockholders will have no other alternative than to divide their shares at an early period and to fight their enemy with equal weapons.”

“You no doubt,” he wrote January 14, 1819, “have before now seen the report of the Committee of Congress appointed to examine the affairs of the Bk U. S. I sincerely

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hope that the stockholders of your & other neighboring states will hasten to send a memorial to Congress, conformably to the intent of my letter to you of the 12th inst. Should they judge advisable to do it & that you will forward me a copy of their application, I will endeavor to obtain here & in New York as many signatures as possible, and will forward it to Washington.

“When I take into view that by the scale of voting a stockholder for 200 shares has as many votes as the one who has 10,000 & that the one who has only thirty shares may by dividing them have as many votes as the honest one who has several thousand, I think the rule is incorrect, nor do I believe that a person who has hypothecated his stock has any right to vote.”

A week later, when again writing to Mr. Stoney, he heard with pleasure of the resignation of Mr. Jones.

“At the moment I was about closing this letter, I notice in Binns Evening paper of this date (January 21, 1819) the following publication:

“We stop the press to announce that Wm. Jones, Esq. has resigned the office of President of the United States Bank.”

“I assure you that I am much pleased with that circumstance, particularly as I am convinced that an eminent advantage will result from it. I sincerely hope that the Carolina and Georgia stockholders will make every necessary effort to change the present mode of voting for Directors, otherwise the Baltimoreans and others who have divided their shares will have a considerable advantage over them. Should their attempt to Congress prove unsuccessful and that they should judge advisable to divide their shares, they will want a person in this city to attend to the transfers; in that case I will with pleasure transact that business for them without any charges for my services.”

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The cause of the resignation of Mr. Jones was explained by Girard to Mr. David Parish.

"I presume that you have before this time (February 20th) heard of a certain information lodged with the Representatives of the people of the U. S. against the officers and Directors of our intended National Bank. As the business appeared to be of a serious nature a committee was appointed with directions to proceed to this city to examine the books of the Bank, to send for and to interrogate such persons as they judged proper which they did. The Honorable William Jones was one of them. I had myself the honor to be interrogated. A few days after that committee made an unfavorable report to their principals particularly against Mr. Jones, which induced him to resign, and I am since informed that he will be replaced by Mr. Langdon Cheeves an eminent lawyer of South Carolina who is daily expected in this city. The shares of that institution have varied from 156 pr ct. to 96 pr ct. which they were selling at a few days ago. They are now at 102 pr ct. and if Mr. L. Cheeves is elected they will continue to rise until they reach about 30 pr ct. but I do not believe they will exceed that last advance unless the dividend be adequate. Many a one will be ruined by that stock; for my part I have sold only and do not admire those wild speculations. * *

"At the moment I was closing this letter I am credibly informed that in consequence of a written invitation which Mr. L. Cheeves has received from the Directors of the Bk. U. S. that he was proposing to come to this city where no doubt he will be elected president of that institution." Mr. Cheves was the choice of the South Carolina shareholders for president of the Bank, and in time was duly elected.

The resignation of Mr. Jones was at once accepted

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and Mr. James C. Fisher, as Girard explained, was "elected President of the Bank of the United States for one month, so to give time to the government to nominate their five directors and the Bank to have a full board." Of the five who were nominated, John Connelly, John Steele, Collector of the Port, and Nicholas Biddle were residents of Philadelphia.

The resignation of Jones was at once followed by a rise in the price of bank shares. The day of his election they were offered at 93; the day after the acceptance of his resignation they could not be bought for 98, and by the end of the first week in February sold at 101. "In regard to the shares of the Bk U. S.," Girard wrote Mr. Stoney, "I am of opinion that immediately after the election of Mr. Cheves to the Presidency of that Institution that they will gradually rise until they reach 30 pr. ct. advance provided the affairs of that Bank are properly conducted. Therefore I would recommend you to keep mine until you can obtain ten pr ct advance." They now rose to 106, and by the next mail Mr. Stoney was instructed not to sell until further advised. Three days later, February 21st, they sold at 114, and Mr. Stoney was authorized to sell at 120.

Early in March the decision of the Supreme Court in the case of *McCulloch vs. Maryland* was made public. This, in the opinion of Girard, would, "together with Mr. Langdon Cheves being elected President of that Institution, consolidate its credit and place the value of its shares on the same footing as those of the most accredited Chartered Bank of the Union. * * * This day 17 is offered but no one will sell." When news of the decision reached Charleston Mr. Stoney wrote:

"The mail of the morning" (March 13th) "brought the decision of the Supreme Court with respect to the right of

the States to tax the Branches of the United States Bank. The result is satisfactory and shares have sold pretty freely within one hour at 114 dollars, \$115 asked." When he wrote again sales had "been made as high as 116.50, but this day 115 is with much difficulty obtained. I do think that the shares of the said stock will go up to 120 in May, but not higher. The monied planters, alarmed at the great depression in January, turned their attention to the purchase of land and negroes and I am aware have invested all their disposable funds, for at least twelve months in that way, so that the only purchasers of stock now are guardians of estates, Public Institutions, and Capitalists investing their dividends." After spending a morning with the brokers he was sorry to say that they did not expect to see the shares reach 120 before fall. Great anxiety to sell was shown by the New York and Baltimore agents, and the price would not rise above 115. The late failures, he added, had destroyed confidence and the scarcity of money was bringing produce down.

Almost every letter brought news of failures. "I am sorry to hear of the several failures which have taken place in your city," Girard wrote a New York house. "This place is in a like situation & I am afraid that many will continue that mode of winding up until they have paid the capital borrowed of our banks." "Our maritime & inland commerce," he told a Paris house, "is in a deplorable situation. Nothing but losses, sacrifices and failures surrounding us. These calamities may partly be attributed to the great facilities which our Company Chartered Banks have afforded to several of our merchants, traders, & mechanics who with their fictitious capital have acted imprudently."

Hard times now put Girard in possession of another ship. Messrs. James Laffitte & Co. of Paris having ad-

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vanced certain sums to a Baltimore merchant, and finding he could not pay, called on Girard to collect the debt due them.

Among the assets offered in payment was a fine ship and some land in Louisiana. Should Mr. Carrere, the debtor, be unable to give satisfactory security for the payment of the debt in a reasonable time, Girard wrote his Baltimore correspondent, he might "lodge in my Bank as collateral security a complete title in my name of the 12500 arpans of land in Washita county, also a bill of sale in my name of his ship *Superb* with a transfer of the policy of insurance which he has effected on that ship * * * together with the documents and transfer of his French claims." Should the proceeds of the sale of this property exceed the debt, the surplus was to be returned to Mr. Carrere. If they fell short, he was to make good the deficit.

After some months spent in negotiation, this offer was accepted, and Girard took over the ship on his own account and paid Laffitte & Co. for it. The *Superb* was then on her way from Belfast to Charleston with a cargo of 210 tons of salt. Mr. Stoney was therefore requested to take possession of her on arrival.

"Although I am not disposed to increase the number of my ships, yet owing to our laws & circumstances I have taken the ship *Superb* on my own account. Therefore please to consider her as my property. My intention is to load that ship with about one thousand square bales of cotton and the remainder in rice to be stowed in the bottom of that ship."

Captain Charles Weems of the *Superb* was then asked if he wished to remain in command.

"Having purchased the ship *Superb* under your command from Mr. John Carrere, I have requested my par-

ticular friend, Mr. John Stoney of Charleston, to take possession of said ship in my behalf, and to represent me in every respect. Therefore should it be convenient and agreeable to you to continue as master, to communicate to that gentleman as it respects your monthly salary, emoluments, perquisites &c &c."

During a year and more nothing had been done towards settling the suit of Collector McLane for double duties on the cargo of the *Good Friends*. An appeal had been taken from the decision of the District Court, efforts had been made to prevent the case coming to trial before the Circuit Court, and an opinion had been obtained from Governor Thomas McKean, but nothing more had been done.

The opinion of Judge McKean was written in March and Girard heard no more of the matter till May, when Mr. Rodney wrote to him saying that he was afraid Mr. McLane would endeavor to procure the attendance of Judge Duvall at the next session of the Circuit Court, with a view to having the case argued; that if it should be seriously pressed he would be much "embarrassed to procure a further posponement," that he hoped the Judge would not come and should "endeavor to prevent it."

The appeal was tried in September. The arguments occupied two days. Mr. Rodney, Mr. Read and Mr. Van Dyke defended Girard, "but," wrote Rodney, "notwithstanding our utmost exertion the judge decided the question of double duties against us." A letter signed by the three counsel reported:

"His Honor Judge Duvall has just now pronounced his decision in which he affirms the Decree of the District Court subject to the operation of the acts of Congress and remissions in your favor, and subject to being released on payment of additional duties according to the Act of 1 July

1812 (the act laying double duties). By the Decree we hope the question of general forfeiture will be put at rest.

* * * We have prayed an appeal & security will be given." For the moment Girard was disposed to take an appeal; but October 3d he wrote that he would pay the double duties less the amount of duty paid in 1812. But Mr. Ingersoll claimed interest on the additional duty and was not disposed to take bonds payable in eight, ten and twelve months, and the year closed with no settlement made. Concerning an appeal to the Supreme Court Mr. Thomson wrote late in December, 1818:

"I have ascertained that the cause of the *Good Friends* cannot come for trial before February 1820. This will leave us an abundant time to negotiate at Washington, and to negotiate at the right time, on which everything almost depends. As Mr. Crawford is determined on running for the President he will of course be visiting his old neighbors &c. &c., and when he is absent I am of opinion with Mr. Rodney, will be the best time." In February, 1819, however, the case was settled by Girard paying \$53,245.20. This amount was fixed by taking the double duty imposed by the act of July 1, 1812, \$87,724.25, and adding interest for five years and two months, amounting to \$30,264.86, making in all \$117,989.11. From this was deducted \$64,743.91, found by adding to the duty paid in March, 1813, \$47,810.87, the interest on that sum for five years, 10 months, 25 days, \$16,933.04. The interest period was calculated from March 8, 1813.

During the year family matters claimed no little of his attention. As far back as March, 1815, Girard received from his brother Etienne a letter setting forth his financial distress and asking for an allowance of five thousand francs a year. Girard at once wrote John A. Morton, his Bordeaux correspondent, requesting that he investigate

quietly and report. The disorders arising from the occupation of the country by the Allies, and the disbanding of the French troops, delayed the inquiry till September, when Mr. Morton replied that his brother-in-law had visited Perigueux; that he had seen Etienne Girard without making known the purpose of the visit; that he found him the father of two sons and four daughters, who were without education save such as the father could give, and that he was in straitened circumstances. By the same ship came another letter from the brother showing in detail the extent of his resources, his income and the real need of at least three thousand francs a year.

On receipt of this Girard wrote Morton: "I never did know that my brother was married till the epoch when Lord Wellington was advancing from Bayonne, towards Bordeaux. At that moment my sister Capeyron wrote me a very alarming letter and informed me that he was married, had several children and did not possess sufficient means to support them. Being still disposed to aid my relatives as far as prudence will permit, I beg that you will be so obliging as to pay on my account, to said brother E. Girard, five thousand francs to be applied to his & family use, and for the education of his daughters. In regard to his two Boys I will thank you to place them in a good college or suitable school, under competent masters, who will inculcate in them activity, good morals, and force their education as far as their brain will admit. Please also to pay for their clothes and all other necessary expenses.

"It is probable that in the course of one year I will want the sons of my Brother with me, in Philadelphia, where I believe they can be educated as well as in their own native country." The money was paid; the boys, Jean Fabricius Girard, aged 16 years, and Jean Auguste Girard, aged 8 years, were sent to a school kept by a M.

Duplessis, who rented a part of the house occupied by Madame Capeyron.

This was far from what Girard intended, and in August, 1816, he wrote Mr. Morton that he "did not expect that they were to be placed by their father under the direction of one Mr. Duplessis who appears to be unknown to you. As I wish them to be near me be pleased to notice their parents that it is my desire that they should embark in April or May next on bd. of a good vessel commanded by a good master for Philadelphia where I will take charge of them and will endeavour to have them educated as they ought to be in the best country and under the best Government in the world."

In June, 1817, the boys reached Philadelphia and were at once put to school at Mount Airy. "Desiring," Girard wrote his brother, "to promote the education of these children, I sent them to college as soon as I had their luggage unloaded. The short time which they spent with me did not permit me to gain a thorough knowledge of their natural dispositions, nevertheless, I believe the younger will be very bright & active; as to the elder, he seemed to me, prudent, careful and of a reserved character. I will do what I can to be of service to them, and to teach them the love of work; as to your daughters, I cannot take charge of their education but am planning to furnish you the means as soon as circumstances shall permit me to do so.

"In my letter to Messrs. Morton & Martini, dated the 2^d of July last, I tell them to pay you for my account 5000 francs, and 1000 francs to your wife, altogether 6000 francs; the sum added to that which I have paid you is ten times more than I received from our parents, especially from my father, to whom I had no other obligation than that of having forced me to leave home in my youth, and seek my fortune in foreign countries where my good

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conduct, activity and love of work have placed me in a situation which merits the approval of my fellow citizens."

His subscription of \$3,000,000 to the stock of the Bank seems to have spread his reputation for great wealth not only over all the United States but even abroad, and brought down on him scores of applications for help from his connections and men who knew him not.

A stranger who signed herself V^{ve} Girard née Godan wrote from St. Pierre, Martinique: "The information which I have gathered from various sources about the family of my late husband, your brother, a native of the Département de l'Ardèche, leads me to believe that I shall find a friend in you and a refuge in your house. An establishment like yours can easily shelter a woman without her becoming a charge." She was no connection. Jean Baptiste Girard, claiming to be a cousin, sent a family tree to prove the claim, and said, "I am in such poverty that I shall have to go to you in Philadelphia," and sent "a bill of exchange on free paper for the sum of ten thousand francs to supply my wants. * * You have the power of doing so. Heaven has granted you its favors; your reputation and your renown has extended beyond the seas." His brother Etienne, again in distress, applied for help. He had heard from M. Martini and from M. Muselin, a citizen of the United States, that "M. Stephen Girard possesses immense riches," and that in an article on General Lallemant in *La Minerve* No. 33 Girard is said to have a fortune of forty millions. Now it is an appeal for a subscription to pay the debt of St. Matthew's Church, Boston; now for help to the Roman Catholic Church at Cincinnati; now for assistance to Abraham Piesch to save the Columbia Glass Works in New Jersey from sheriff's sale; now from numbers of distressed Frenchmen who have heard of his great wealth.

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A stranger urges him to spend a million dollars in founding a college. Another, in St. Louis, who wishes to borrow \$30,000, says, "Common fame speaks of you as possessing unbounded command of money with a disposition to serve a fellow man." Sister Rose appeals to him to aid St. Patrick's Cathedral in New York City, and reminds him that "our good God who has permitted your coffers to fill with such immense sums will one day demand the use you made of them. Life is but a moment; eternity no end. Alms cover a multitude of sins."

"Such is your celebrity," writes another stranger, "that I appear to know you as well as if I had a personal acquaintance." Another addresses him as "one who holds high and exalted station in the world, and one who is possessed of such an immense wealth, and one who I am told has no family to support," and as one "possessed of a liberal mind which your very liberal subscription to the United States Bank tend to corroborate." Others are "embolden to address" him because of "your known philanthropy"; because "you are always willing to relieve the wants of those in distress"; because of "the character which you have borne for generosity in cases of distress."

Mr. Joseph Delaplaine wished to paint his portrait. "I have been for a length of time collecting with much labour and expense, the portraits of distinguished men belonging to our country.

"I am almost prepared to open for exhibition my gallery, which I feel persuaded will be eminently useful to the community at large.

"I have the likeness of the honorable James Lloyd of Boston and of John Jacob Astor, Esq. of New York whom I have the honor of numbering amongst my private friends. I am extremely desirous to possess yours, and if

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you will oblige me by permitting it to be taken it will always be esteemed as a most particular favour.

“In a few days I shall do myself the honour to call upon you when I hope to find you disposed to grant my request.” Girard was not disposed, and the very day he received the letter wrote to Mr. Delaplaine: “By your favour of the 27 (August) inst. just received, I observe that you are desirous to take my portrait; convinced as I am that at the approach of death I will be anxious to depart this world with tranquility, I do not wish to leave behind any marks which may cause regret, therefore I must decline granting what I have uniformly refused to others.”

Once again, in his old age, he was urged to sit for a portrait. A firm believer in internal improvements, Girard had not failed to assist such schemes as seemed worthy of support, had purchased stock and on one occasion had loaned the Schuylkill Navigation Company \$230,000, at a time when the money could not be had from the stockholders nor the banks. This timely aid was not forgotten, and “The following Resolutions offered by John Sergeant Esq and seconded by John Bohlen Esq were passed unanimously at a meeting of the stockholders of the Schuylkill Navigation Company held at the office in the city of Philadelphia January 4, 1830.

“Resolved, That the Stockholders have a greatfull recollection of the liberal and valuable aid received from Stephen Girard Esquire, by large loans and subscriptions of money, as well as by his steady support and continuance, at critical periods in the affairs of the Company, enabling them to overcome difficulties and discouragements which threatened to suspend their operations, and contributing efficiently to bring the work to its present happy completion.

“Resolved that the thanks of the stockholders be

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presented to Mr. Girard and that he be requested to sit for his portrait to be placed in the Companys office.

“The following named gentlemen were appointed a Committee to carry the above resolutions into effect.

“Edward Burd, Esq.

Wm. Sansom

“Joseph S. Lewis

Dr. Jonas Preston

“John Sergeant

Elliot Cresson, Esq.

“John Bohlen, Esq.

“Edward Burd, Chairman.

“Edmund Wilcox, Secretary.”

The request for a sitting was refused, but the committee persisted, and Mr. Burd wrote:

“I hope you will excuse the liberty I take in requesting that you will on Reconsideration consent to gratify the Schuylkill Navigation Company by sitting for your Portrait to be hung up in their office; but if you should persist in declining it they desire to have your refusal in writing to be placed on their files that it may always appear that they have done all in their power to obtain it for the purpose of commemorating so early and so liberal a patron both by loan of money & subscription to this great public Work so beneficial to the Interests of Philadelphia.”

CHAPTER XIV

THE VOLTAIRE AND THE MONTESQUIEU WRECKED

PHILADELPHIA, in the summer of 1820, was once more visited by yellow fever. The first case appeared on July twenty-fourth in a house in Water Street near Race, and in less than a week fourteen persons in the neighborhood came down with the disease. Eleven of them died. With great promptness the Board of Health removed the sick, put the occupants out of the dwellings where the sick had alarnd, and closed, by high board fences, all streets and alleys leading to the district. During a week no new cases were reported and the Board was beginning to believe the worst was over when the fever appeared near the Walnut Street Wharf and in a few days eighteen persons were taken to the Hospital. Ships were then ordered from the wharf, people were turned out of their houses, and board fences erected. A Mr. King, of Philadelphia, who arrived at New York, was taken down with the fever, and sent to the Marine Hospital at Quarantine, and immediately the Mayor put forth a proclamation, requiring all vessels from Philadelphia to stop at the quarantine grounds, and forbade any person or thing which had been in that city within thirty days to enter, or be brought into, New York. Just at this time Joseph Bonaparte, on his way from Bordentown to Saratoga in his carriage, crossed the ferry from Powles Hook, was stopped, forced to turn back and go by the west bank of the Hudson. He had not been in Philadelphia since the fifth of August, but he came within the thirty days limit. The Sound Steamboat Company announced that travellers to the eastward from Philadelphia might cross the island above the city and take the steamboat at Throgs Point. Boston

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now laid a quarantine on all vessels from Philadelphia, and Norfolk did the same.

By the end of August the epidemic and alarm were at their worst, and several thousand persons had left their homes. During the last two weeks of that month and the first week of September thirty-six cases were taken to the City Hospital. Then the number rapidly declined and in the course of ten days no more were reported. Nineteen residents of Front Street between High and Mulberry thereupon published a card assuring the public that when a case of malignant fever appeared on the east side of Water Street most of the inhabitants of said part Front Street had removed in alarm; but they had remained and could assure the public that Front Street was as healthy and free from sickness as any part of the city or country and that persons who came there for business ran no risks. A number of merchants issued a circular letter stating that the late appearance of malignant fever had excited alarm not justified by the extent of its ravages; that this alarm had been kept alive by the jealousy of enemies of the commercial prosperity of the city; that the fever had been confined to parts seldom visited by southern and western buyers, and that, on the whole, Philadelphia had been healthier than New York, where, between July 22 and September 9th, there had been 793 deaths, while in Philadelphia, during the same period, the number was but 757. Of the 103 cases of yellow fever, 67 died.

"Owing to the imprudence of our Board of Health & Physicians the greatest unfounded alarm of a contagious disease exists in our city," Girard wrote his friends Fitzsimmons and Stoney. "They have carried their contagious ideas so far as to barricade with close high board fences several alleys & sections of Water Street and a part of Walnut as far as Front Street. Almost all

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the inhabitants and storekeepers, say 49 in 50, have deserted their stores on the wharves, alleys, Water & Front Streets, all the way from the drawbridge to Race or Sassafras Street. In this situation I am almost alone in Water Street, where I intend to remain & to wait patiently until a cold North W. wind blows off the false alarms. As to sickness or contagious disease, I am of the opinion that since the year 1793 our city has not at any time been more healthy than what it has been during the present summer and water melon time." Writing a few days later, August 21st, to friends in New York, he announces that "The m created by our Board of Health and Physicians is still progressing. They have shut up Front from Chestnut to Walnut Street."

Mr. Stoney was "extremely sorry to find that your Board of Health is acting so precipitately. They certainly cannot be aware of the injury they do the character of the city as well as the interest of the merchants. I regret extremely to find that Baltimore and New York instead of taking the most deep and friendly interest in the health and prosperity of your city, (if I may judge of the people by their organs the public papers) almost appear happy in having the opportunity of proclaiming to the world, your misfortunes. Whether the prosperity, wealth or enterprise of your city is the cause of the jealousy thus evinced by your two sister states, their conduct in this particular respect must be viewed with horror and contempt by the whole body of the good people of the Union."

With a view to allay the alarm in the country round about the city, Girard prepared a resolution to be introduced in Select Council.

"The measures of precaution taken in consequence of the appearance of some cases of malignant fever in the

last month, having with the blessing of Providence, proved effectual, not only in confining the disease within the very limited District where it appeared, but at length in extirpating it altogether from our city, the superior general healthfulness of which, with its suburbs, during the late season & now, is demonstrated by a comparison of our bills of mortality with the death in the neighboring cities & towns, and even in the country; notwithstanding which there is reason to believe the alarm, excited in a degree utterly disproportioned to the existing danger and kept up by the timidity of some, but more by the selfish and sinister reports and representations of others, is, with these same unworthy motives still continued; more especially by Hucksters, Forestallers, and Regrators, who labour often with success, to intimidate those who usually bring supplies to our markets for the purpose of obtaining their produce at reduced prices and making a large profit thereon, therefore,

“Resolved by the Select and Common Councils that the Mayor be, and he is hereby, requested to inform the Public by Proclamation of the actual condition of the health of this city and the happy disappearance of all cause of alarm in order thereby to remove the groundless fears which are operating so injuriously to farmers and others.

“Resolved by the Select and Common Councils that the Mayor be also requested to direct the High Constables and Clerks of the Markets to cause the Laws and Ordinances against forestalling and regrating to be rigidly enforced against all offenders so as to exclude them as much as possible from the limits of the markets.”

Fearing for his safety, a friend now urged him to leave Water Street.

“I feel anxious about your health and fear that you may injure yourself by remaining in Water Street. Your

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life is too valuable to your fellow citizens to risk it. Let me pray you to remove. My house is in Walnut Street south side above 7th. My family is out of the city. If you will take possession of it, it shall be at your service till health is restored. You will find everything convenient. I will be there to receive your books and papers, and render you every service."

In still another way the isolation of Philadelphia came home to Girard. He was then about to send his nephew, Jean Fabricius Girard, to Liverpool, partly for the benefit of the sea voyage, and partly that he might be trained for the mercantile life in the office of his former clerk and supercargo, Joseph Curwen, then in business for himself in that city. Goodhue & Co., one of Girard's correspondents in New York, attended to the matter of passage, and in September wrote:

"The packet ship *James Monroe* sails in course on the 10th instant in the morning for Liverpool, and as every article of bedding and of stores is provided by the ship your nephew need not come until the day before, or if he prefers a few days sooner. A suitable house for him to stay at will be Mrs. Saidlers No. 36, or Mrs. Bradish No. 10 Broadway, & we shall take pleasure in rendering him all the services and attention in our power. Since a new regulation of our Board of Health, adopted on the favorable accounts of the health of your city, which were received a few days ago, the quarantine on persons who have passed through Phila^d is reduced to 10 days, but as a longer term may be again adopted, it would be well that the young gentleman should avoid coming under any doubts which he can well avoid."

To his nephew, who had long been considering the journey, he wrote:

"The fear of a malignant fever, which our physicians

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pronounce contagious, has interfered with our maritime operations to the extent of delaying the sailing of the ships in our port, and as I desire that you take advantage of the season of fair weather to come to Liverpool, where my friend Mr. Joseph Curwen is expecting you, I advise you to take the packet which will sail for the said port of Liverpool on the 10th of next month (September). Consequently if you are disposed to follow my suggestion, I recommend you to prepare yourself. Your shirts will be sent you in time.

“Although I desire your advancement I do not wish to run counter to your inclination. I therefore beg you to tell me frankly whether you are disposed to go to Liverpool and at your arrival in that city, follow the instructions and advice you receive from my friend Mr. Joseph Curwen. I shall have great pleasure in seeing that you have the inclination and taste for commerce.

“As it is not fitting that you come to our city at a moment when the New York police refuse admittance to all persons coming from Philadelphia, I propose to join you in Frankford to bid you good-bye and give you letters for my friends in New York and Liverpool. I will notify you in time of the day and hour and of the house to which I will come in this village.”

The offer was gladly accepted by the young man, and at the meeting in Frankford, September 8th, 1820, Girard gave him written directions for the trip.

“At your arrival in New York, it would be well for you to stop at Mrs. Saidlers No. 36 or Mrs. Bradish’s No. 10 Broadway, and there inform yourself as to the residence of Messrs. Goodhue & Co., in order to visit them immediately, and give them my letters. These friends will arrange for your departure for Liverpool where at your arrival you will hand my letter to my friend Mr. Joseph Curwen.

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"Your passage to England will be paid by my friends in New York and your expenses for board, clothing &c. by Mr. Joseph Curwen. I give you in gold ten guineas and ten half eagles, altogether one hundred dollars.

"Not doubting that you will follow the advice of Mr. Joseph Curwen, I shall merely recommend you to take care of your health and to write me from time to time.

"I wish you a short passage."

During 1821 Girard engaged more heavily than ever in trade with the Far East. In June the *North America* was dispatched from Philadelphia direct to Batavia with a small cargo worth \$17,089.76 and specie consisting of 200,000 silver guilders, 20,000 Spanish dollars, and 625 Spanish Doubloons. The *Voltaire* had already sailed from Amsterdam for Java with opium and specie amounting to 289,939 guilders. The *Rousseau* and *Helvetius*, the one with a cargo worth \$105,363.51, and the other with coffee and rice costing \$104,640.72, arrived at Amsterdam from Java within a few days of each other, and early in July the *Superb* reached Canton. The *Helvetius* went back to Java with 250,000 guilders, and the *Rousseau* came home, was promptly sent to Charleston, and sailed thence for Liverpool consigned to his friend Joseph Curwen. Hearing that cotton was much cheaper at Savannah than at Charleston, the purchase of 900 bales was ordered, and late in December the *Montesquieu*, which during eleven months had been lying at her wharf, was dispatched for the cotton. From Liverpool the *Rousseau* was to sail for Batavia with a small cargo of goods and Spanish dollars amounting to \$100,000.

In February, 1822, the *North America* sailed from Batavia, the *Rousseau* had reached Liverpool, and the *Voltaire*, from Batavia, was reported off Cowes, where the first mate announced the death of Captain Daniel

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McPherson and two seamen. From Cowes she went on for Amsterdam, but was wrecked on the way.

"A letter from our correspondent on the Helder," wrote Widow Peter Van Veen & Son of Amsterdam, "arrived this morning (February 25th) advising us the melancholy and unexpected news of her having got aground on the evening of last Saturday 23^d Inst. at the back of the Haaks at her sailing into the Narrows. The ship is totally lost, having fallen yesterday evening on her side and being mostly under water. The crew has been saved as also 643 Bags of coffee, damaged and non-damaged, and have been warehoused at the Nieuwediep, according to advices from the Helder." A few days thereafter they reported that "she bilged entirely and that some parts of her Hull had been thrown on the coast."

"With sorrow," wrote the Captain, "I have to state to you the loss of your ship *Voltaire* which sad accident took place on the 23^d February (1822) off the Texel.

"I wrote you from Cowes by the ship *Venus* bound to New York of the arrival of the *Voltaire* in that port, in which port I procured men sufficient and a North Sea Pilot to conduct the ship to Holland.

"We arrived on the coast and received on board a Branch pilot for the Texel, and owing to his ignorance or missmanagement run the ship on shore.

"We have saved about 600 bags of coffee, & fortunately saved all our lives as we was exposed to the sea upwards of 7 hours after the ship bilged. So bad was the sea that we had to lash ourselves to keep from being washed over board. I saved nothing but the ships papers & manifest of the cargo. All Capt. McPhersons things are lost except his watch. There has been some few thing picked up and broat on shore, but when sold & expenses paid there is but a little left."

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News of the wreck reached Girard late in April. To his consignee he wrote:

“Although the loss of the ship *Voltaire* and cargo is pretty severe, particularly as I have no insurance, yet as I am one of those who bear losses and profits with coolness, I am extremely anxious to know the precise cause of the loss of that ship and for the want of proper information I attribute that accident to the improper conduct of her new Master who in my opinion should not have been trusted with money. That man has written me but one letter while he was (at) Cowes for the purpose of advising me of his arrival at that port where he has taken £138.10.5.”

Hearing from Messrs. Widow Peter Van Veen & Son that Captain Smith was coming to New York, Girard wrote to Goodhue & Co.:

“The several advices which I have received from Europe respecting the loss of the aforesaid ship *Voltaire* are silent on the subject of the real causes, therefore I suspect some improper conduct on the part of the new master.

“By Messrs. Baring Brothers & Co. letter of the 26th February last they say that Capt. Smith has drawn on them for £138.10.5 which they have passed to my debit. That master’s letter dated Cowes 20th Feby is silent on that subject and he has not sent in any account.

“Messrs. Widow Peter Van Veen & Son of Amsterdam, Consignees of the ship *Voltaire*, say in their letter of the 18th March, that today we have received a letter from Capt. Smith together with an account of his disbursements in paying off the crew to which is added his own wages, passage money, &c. &c., amounting to 2754 guilders for which he is to settle with me on his arrival, for which purpose he takes with him all the receipts. He is to take his passage on board the *Louisa* Capt. Smith for New York.

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“Under the foregoing circumstances I think that it is my duty to compel the aforesaid Master to do what is correct, even to put him in the hands of the laws of our country if his improper conduct has in any manner occasioned the loss of the ship *Voltaire* and cargo. Therefore I take the liberty to request as a personal favor that you will take every step which you will judge necessary to accomplish my views, if his past conduct requires, so as to prevent future loss, no matter what may be the expense. My principal object is to be useful to our maritime commerce.

“On the subject of E. A. Smith’s account it is to be observed, he should produce the articles and ships papers of the *Voltaire*, Capt. McPherson’s books, & receipts for money advanced to old crew. As to himself it appears that he was shipped in Batavia by the deceased master who no doubt has paid him some money in advance. Therefore every item of his account must be supported by correct vouchers. Having no guide before me I cannot form a just idea on the first item. As to the last three amounting to eleven thousand guilders, they appear to me erroneous; 400 guilders for his passage. It is customary that Masters of vessels never charge a passage to the one who had the misfortune to lose his ship, and whenever they charge anything it is for provisions only. 600 guilders for his wages. It is probable he has no claim whatever on that score, & if any he should be allowed the sum which he agreed with Capt. McPherson until the day of that Master’s death. Until that epoch I must account to the heirs of the deceased. * *

“In addition to the above there is the baggage of Capt. McPherson consisting of his wearing apparel, sextant, quadrant, maps, some specie which a master generally takes with him, his bed clothing, also the cloathing &c.

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belonging to my two apprentices John Hesley and Frederic Verieux, the whole of which I am anxious to deliver to the heirs of the deceased."

On receipt of the Captain's letter, finding that he was not wholly to blame, Girard wrote Goodhue & Co.:

"It appears that the ship *Voltaire* was lost in the evening in entering the Texel having on board the English & Dutch Pilots. Under these circumstances I will thank you to settle simply with that master as you would do for yourself."

A carpenter, James Seal, formerly on the *Voltaire* and at New Deep, where the ship was lost, now came forward and declared "he came on board with the Boats that saved the crew, and that the English Pilot was the cause of the loss of the vessel, the Dutch pilot not wanting to go in and intending to keep off and on until morning. The English pilot with the concurrence of Captain Smith undertook to take her in, put her ashore with a leading wind with Royals and studding sails. She got aground. They got her off in deep water, but he ordered the helm to be put to starboard. The ship went again on the Haicks where she remained fast. A number of pilot boats came around the ship to save the cargo, but Captain Smith would not open the hatches. It was about nine hours after she stranded that he got some of the cargo out and the ship bilged and went to pieces. If Captain Smith had availed himself of the boats which came to his assistance he would have saved two thirds of her cargo."

After the return of the two apprentice boys and the steward of the *Voltaire*, Girard wrote Peter Van Veen & Son:

"As it respects his morals and maritime talents I again repeat that he is the sole cause of the loss of the ship *Voltaire*, and not the Dutch pilot, who I am informed by my



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apprentice, Fredrickson and the Steward of the aforesaid ship, who has been several years in my employ, that on the evening they were in sight of the Texel, and that the Dutch pilot did not wish to go in and proposed to keep off the land until the next morning, but that Smith and the English pilot, who were walking together on the other part of the deck, and appeared to have drunk a little freely, observed to the said Dutch pilot, that if he could not pilot said ship in the night, that he could not do it in the day, and in that way confused the man, so as to induce him to run the risk which he had done. If my information is correct of which I have no doubt, I conceive it my duty to mention that circumstances so no blame whatever may be laid on the poor pilot."

"The account which you have the goodness to give us," was the reply, "concerning Capt. Smith and the Pilot who navigated the *Voltaire*, takes away the fault of the latter and it is clear the loss must be attributed to the Captain and the English pilot. We never could suppose this to be the case, as we had not seen the apprentice nor the Steward and of course were in the necessity to believe the deposition Capt. Smith had made of this unfortunate business, and by which we were induced to petition the king, as we told you before, because we could not remain indifferent at seeing your property lost in such rough a manner. We now are sorry the result of our petition has been the apprehension of the pilot, and he has been brought up for judgment at the present session, but we are glad to hear has been acquitted, by which this disagreeable business is set at rest."

Letters from captains and consignees informed Girard of the whereabouts of his other ships and of the poor markets to which they brought cargoes. In May the *Superb* and *Helvetius*, with 122,757 guilders, sailed from

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Amsterdam for Philadelphia; the *Montesquieu* arrived at St. Petersburg, and the *North America*, from Batavia, reached Antwerp. By the end of August all four were in Philadelphia. No market gave promise of reasonable profit; nevertheless, in October, the *Montesquieu* was sent to Charleston for cotton and then to St. Petersburg.

Advices from abroad towards the close of the year told of serious losses on his cargoes. That on the cotton shipped in December, 1821, on the *Rousseau* was \$18,153, or 35.8 per cent. The cotton taken by the *Montesquieu* sold for $8\frac{1}{4}$ to $8\frac{1}{2}$ d., causing a loss of $33\frac{1}{3}$ per cent. On the cargo of the *Rousseau* to Batavia he found a loss of 2661 rupees. The sale at $12\frac{1}{2}$ cts. of the Java coffee brought by the *Helvetius* to Amsterdam, he wrote, "will not cover invoice cost." The neat proceeds were 283,504.18 guilders, or \$113,401. Two of his ships, therefore, the *Superb* and the *North America*, were laid up; but in hopes of better times Messrs. Nicholas & Neff were instructed to buy during the winter as many as a thousand bales of cotton if they could be had for eleven cents a pound.

"Our commercial business," he wrote Mr. Stoney, "may be considered in a deplorable situation. This market is glutted with all kinds of Goods which cannot be sold. But there is a great demand for money which causes great distress and embarrassment among our merchants and traders generally, indeed, the whole of us merit a pretty good lesson for our imprudence, but I am afraid that it will be too severe for many a one."

As in previous years, he was still beset by appeals for money from all sorts of people living in all sorts of places at home and abroad. The fame of his wealth had reached towns and villages of which he had never heard. They came from Lavana and Steubenville, Ohio; Russellville, Kentucky; Nashville; Orange County and Accomac

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County, Virginia; Staunton; Martinsburg; Edenton; Cumberland; Georgetown; Waynesville; Millford; Columbia, South Carolina; Nantucket; Portsmouth, New Hampshire; and from churches of several denominations. One man in Union Town, Maryland, asked for money to buy an Encyclopædia; another in Ohio had been instructed by the Supreme Being to ask for \$25,000; another had invented a patent coffee mill; John Cleves Symms wrote from Newport, Kentucky, asking for money to fit out an expedition "to the polar regions for the purpose of exploring the concave interior of this sphere," and called attention to his memorial presented to Congress by Richard M. Johnson. The only appeal which seems to have received a reply was one from President Monroe dated Washington, October 25th, 1822.

"My long employment in the service of my country, under circumstances which rendered it impossible for me to pay due attention to my private concerns, and in offices which, untill the present one, afforded compensation inadequate to my support, has subjected me to debts for which I wish to provide, in a manner satisfactory to the parties, & with the least injury to myself. To accomplish this very desirable object, it is important to me to obtain a loan of from 25,000 to 40,000 dollars, for the term of five years. For this loan I am willing to pay the usual bank interest, at the end of every 90, 60 or even 30 days; and to give security on real property, which shall be estimated at 10, or if desired 20,000 dollars more than the sum loaned. The property which I would thus pledge, is an estate in Albermarle County, Virg^a adjoining the estate of Mr. Jefferson, about 6 miles from the University rising there, 5 from Charlottesville, and 3½ from Milton, to which latter place the Rivanna a branch of the James River is navigable. It consists of 3500 acres of land,

2000 of which are of the best mountain quality, & the other 1500 of good quality & remarkably well timbered. To this land I would add, if desired, about 40 slaves, tho I presume the land would be found fully adequate, on a fair valuation, at the present reduced prices. The tract has valuable improvements on it, a commodious dwelling house, two barns, a stable, good houses for servants, a grist & saw mill, &c. Mr. Jefferson, Mr. Nelson, Col. Lindsay of Albermarle, & Mr. Madison, & the two Mr. Barbours of Orange may be referred to for this valuation.

“My object in this loan is to enable me to satisfy certain claims, & to allow due time for the sale of this estate, or of one which I have in Loudon County, for I fear that it will be impossible for me, to avoid selling one or the other. By the time proposed, however, I am persuaded, that I should be unable, to dispose of either to much greater advantage. An immediate advance of the whole would not be necessary. The command of a few thousand dollars, at this time, and of the balance, in the course of the winter and spring, would meet my purposes. I have made this proposition to you, from a belief that if in your power, you will afford me the accommodation desired, and should you do it, I can assure you that you will render me a service which I shall always recollect with much sensibility. You will be so good as to give me an early answer to this letter.”

The *Montesquieu*, with her cargo of cotton, reached Holland early in January, 1823.

What to do with the cargo, the consignees did not know. “We are not yet decided how we shall proceed with the disposal of your coffee. There seems little doubt of the war breaking out between France and Spain, but the opinion is divided on the question whether England will take an ostensible part in it. If not, produce are not likely to advance much. * * ”

The war from which such great commercial gains were expected was the work of the Holy Allies. Since 1820 an outburst of liberalism had swept over southern Europe. In March of that year the people of Spain forced their King to restore to them the Constitution established in 1812 and destroyed in 1814 after the first overthrow of Napoleon. From Spain the movement spread to Naples. Ferdinand, King of the two Sicilies, was the uncle of Ferdinand of Spain. As a possible heir to that throne, he too signed and swore to support the Constitution. If it were good enough for a country over which he might some day rule, it was good enough for one over which he then ruled, and in July, 1820, his people forced him to proclaim the Constitution of Spain to be the law of his kingdom.

Liberalism now spread to Portugal, and there in September the Regency was deposed, a Junta set up, and a Cortes elected to frame a Constitution. France seemed likely to come next; but Louis cried out for a meeting of the Holy Allies and in October the King of Prussia, the Emperor of Austria, the Czar of Russia, an envoy from Great Britain and two from France met at Troppau, a little town in Moravia, and took up the case of the Sicilies. Ferdinand was summoned to meet them at Laibach. Thither, in January, 1821, he went and was told if the Constitution of July, 1820, was not abolished an Austrian army would occupy Naples. A rush to arms followed; but an Austrian army entered Italy and crushed out liberalism in Piedmont and Naples.

In October the Holy Allies assembled at Verona and took up the case of Spain. They resolved that certain changes should be made in the Constitution of Spain, and if the demand was not heeded, a French army should cross the Pyrenees. The demand was made, was refused, and April 7, 1823, a French army under Duke of Angou-

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lême crossed the frontier and entered Spain. It was these acts of the Holy Allies, and the belief that they would soon attempt to reduce the South American and Central American Republics to their old condition of Spanish Colonies that brought from Monroe in December, 1823, the statements which form his famous Doctrine.

When Girard read the message, he immediately changed the ports of discharge of his ships. The *North America*, which arrived home in December, was laid up, until he "knew the intentions of Government."

"The speech of our President," he wrote Mr. Edward George, Jr., at Rotterdam, "does not represent the future tranquility of the country as free from obstructions. Although it is probable that his message to Congress has reached you through the medium of British newspapers, yet fearing it should be otherwise I here annex the same to you.

"As you are at or near the spot where the intention of the Government of those countries are pretty well known, I desire you to ascertain the facts and if the result of your inquiries induce you to believe that the doubts of our President are well founded, you are to manage the realization of the property confided to your care conformidable to circumstances, observing nevertheless to sell whenever a favorable opportunity presents a reasonable profit.

"But should circumstances, information, and the advices which you will receive, induce you to believe that you have sufficient time to prepare said ship, cargo, and specie funds, also to proceed on your voyage and to reach Canton previous to hostilities against our flag in Europe &c. and India Seas have commenced, I recommend you to proceed on that first intended circuitous expedition, having attention to increase your present armament with four more guns of same calibre as those which are on

board so to make eight mounted guns with powder, gun shot, small arms, cutlasses and all other requisite war utensils, to which you will add six or seven good seamen over and above your present complement, giving preference to our countrymen, and if they cannot be obtained, to take British seamen or such others on whom you can depend.

"I am of opinion that present prospects call for the greatest prudence. Consequently I particularly request that while at sea, you will avoid speaking any vessel unless compelled by unforeseen circumstances. In time of war, a constant lookout should, during the day, be kept at the mast head."

Concerning the *Montesquieu*, then at Amsterdam, Captain McLeveen was instructed that if there was "no danger of a rupture between this country and some of the maritime power or powers to be apprehended to take place before the first of August," she was to go on to St. Petersburg. Should there be a "prospect of an early rupture," the *Montesquieu* was to come home.

"The message of the President to Congress does not present a long continuation of a good understanding with some of the European powers."

Should the *Superb* go on the Canton voyage, and Mr. Edward George, Jr., while at that city, be "informed that a war has commenced," he was to "proceed with the ship *Superb* direct to this port, instead of going to Holland," and notify Girard that he might insure.

Mr. George, Jr., now decided to go on to Canton.

"Your letter of the 23rd Decr. respecting the prospects of a war taking place between the U. States & some of the continental powers of Europe I have fully considered, and from the best information which I have received it is the general opinion that as France and Spain & even

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Russia now see that if they attempt to reconquer the Spanish colonies of S. America they will have to cope with the U. States and England leagued together to protect those colonies, that they shortly will give up all ideas of it. In fact we have heard today (January 27th, 1824) that Spain had renounced the plan altogether."

From Amsterdam the *Montesquieu* cleared for St. Petersburg, returned to Philadelphia, and in October, 1824, sailed from Baltimore with a cargo of tobacco worth \$37,686. But one day in January, 1825, Mr. John Welsh called at the bank and announced that his supercargo, in a letter from Amsterdam, reported that the *Montesquieu* had been wrecked "at the entrance of the River of Rotterdam." Twenty-four hours later, the news was confirmed in a letter from Mr. George, enclosing one from Captain McLeveen.

"It has fallen to my unfortunate and painful lot," said the captain, "to inform you of the loss of your ship *Montesquieu* on Goree bar on the 12th instant (November 12th, 1824). Fortunately no lives were lost.

"The Pilot came on board on the 12th instant at 11 o'clock in the forenoon wind at west, the west end of Goree bearing S. S. E. soundings at the same time nine fathoms.

"When the Pilot boat came along side I enquired if there was water enough for the ship in that bay. I, at the same time told them that she drew 17½ feet English or 19 Holland. Very well, very well, water enough was their answer. So soon as our Pilot had got on the ships deck, I asked him the same question, remarking at the same time that her draught of water was 17½ feet English or 19 Holland. His reply to me was that English & Rotterdam feet were the same, but not at the Texel or Flushing. The Pilots all perfectly well understood me.

I asked my Pilot at what time it would be high water, to which he answered a little after four in the afternoon. I then asked him how much was on the Bar at low water. His answer was fifteen feet. I also asked him how much there would be on the Bar at highwater. He said twenty-two feet, sometimes a little more, sometimes a little less. About a quarter past 11 the wind began to freshen. double reefed the topsails. In order to get the correct time as near as an observation would give I had an excellent one that day, and found the pilots watch nearly half an hour too fast. He however set it exactly to my time. My latitude at that moment was $51^{\circ} 53'$. After making one or two tacks spending time for high water the Pilot asked me if I would hire the pilot Boat to lay on the Bar. It had by this time begun to blow very fresh. I told him if he saw it necessary to hire the Pilot boat let it be done, or if he could do without her it was very well. I then said to him Pilot, you have the charge of the Ship, act in that respect as you see proper. He accordingly ordered a signal to be made for the Pilot boat which was instantly complied with. She bore down and came under our lee. My Pilot asked the Captain of the Pilot boat to lay on the bar with his boat. his answer was they would lay on the bar for six guineas, to which I readily consented. It was then agreed between my pilot and the pilots on the boat that the pilots on the boat should lay on the bar and that when there was water enough for the *Montesquieu* to cross the bar the pilot boat would hoist a flag at the mast head, and a pendant at the main peak there being at that moment seven first rate Branch pilots on board the boat. The Pilots from the boat remarked at the same time, that for the ship which was under our lee, they would only hoist a flag at the mast head so that it might be understood distinct from our signal. At about half past two in

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the afternoon we had an excessive heavy hail squall in which the wind haul'd round to the N. W. clew'd the top-sails down on the cofs and haul'd the foresail up. At that time very thick so that we could not see the land. At half past three it cleared and continued to keep clear. At this time the Pilot boat was too an anchor at the bar. About 25 minutes before 4 the signal was made for the ship under our lee. She instantly bore away and run in. About fifteen minutes before four the signal was made for the *Montesquieu*, consequently the pilot gave orders to put her helm up and square away the yards, and steer directly for the pilot boat which lay on the bar with her flag at the mast head and the pendant at the main peak. It was at this moment blowing very strong at N. W. with a heavy sea on the bar. I had from the instant of bearing away two hands at the wheel near which I stood myself to pass the word from the pilot, as also to watch that they gave her the wheel the right way.

“The marks for going in is the Beacon which has a light on the top to be kept to the north of Goree church steeple, which at the moment she struck appeared to me to be about a sails breadth open to the north. The *Montesquieu* struck on the bar at five minutes past four in the afternoon. The first stroke she gave her rudder broke off by the Counter brace. She struck twice after that when she became unmanageable and ran toward the west end of Goree. We hove all sail aback, in hopes to back her off, but all proved ineffectual. The sea working a heavy breach over her, in less than an hour she was full of water.”

Mr. Edward George reported that as soon as the news reached Rotterdam

“I immediately took every means to procure every possible assistance to Capt. McLeveen. Sent down two

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persons of confidence & capacity to assist him in saving from the wreck what can be got at, but from the situation in which the ship is I fear that her cargo will be entirely lost, or in such a damaged state that the immense expenses attending the salvage will exceed the result of the sale. All the rigging & sails are saved. From the continuance of the most severe gales since the accident happened there is no hope that the ship may be got off as she is full of water."

During the week following the wreck the weather was such that little progress was made.

"The weather continuing boisterous and unfavorable, it has been impossible to work much at the ship, which at half tide is under water," said Mr. George. "There are now about eighty hogsheads out, in order to get at the lower hold they are cutting open a hole in the larboard side of the lower deck as the ship lays broad side on the beach her starboard side towards the land. It is almost to be regretted that the *Montesquieu* was so strong and that she did not go to pieces after she struck on shore, as the greatest part of her cargo would have floated on the beach, and the tobacco would not have been so wett that it is now after having remained so long under water. I expect two lighters tomorrow and intend to sell immediately at auction whatever quantity they bring up."

By the first of December 223 hogsheads had been saved, "but so soaked that it is almost rotten, and cannot get anything for it."

After the sale took place Mr. George wrote:

"We have just closed the sales of the tobacco brought up from the unfortunate *Montesquieu*, and however severe & lamentable is the loss which you have experienced yet I find a little consolation that the sale of that so much damaged tobacco went far beyond my expectation, and

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that the means I have adopted to bring a large concurrence of small dealers have succeeded so well as to enable us to get 150 pr ct more than we were offered privately before the auction. I regret that the whole of the cargo was not saved immediately after the stranding of the Vessel as your loss would have been so much reduced. But in spite of the exertions made they were baffled by the bad weather. The 223 hogsheads have averaged at the auction f78.20 each. We had about 6000 lbs. of loose tobacco which we sold by lots of about 500 lbs. each which produced altogether f205, but so much heated and rotted that I do not really believe that the jews who bought it will get their money for it unless it is used for manure."

When at last the hull of the *Montesquieu* broke up twenty-seven hogsheads were recovered and sold for f57.87 cts. each. What remained of the wreck was finally disposed of for f935.

During the year Girard had been fortunate enough to secure the payment of a part of his old claim on Sweden for the seizure at Stralsund in 1810 of 522 bales of cotton. Mr. John Connell had been selected to press the claim, and by a written agreement signed by Girard, Gustavus and Hugh Colhoun and John McCrea, was authorized to go to Sweden, make the demand, and offer to settle for fifty per cent. If successful, Mr. Connell was to receive twenty per cent; but in any event was to pay his own expenses.

On reaching Stockholm he drew up a memorial, which the American consul duly transmitted to the Minister of Foreign Affairs, and wrote Girard:

"After the first interview which Mr. Hughes had with the Minister of Foreign Affairs, after that he had a reasonable time to reflect on my Memorial, the minister informed Mr. H. that the money had been employed to

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repair a Prussian fortress (Pomerania having since been sold to Prussia) and that he thought that the Diet would not readily consent to vote money that had been so employed.

"In addition to this the Minister added that the Government of the United States were not prompt in paying claims against themselves. That the Beaumarchais claim, for supplies furnished our government during our Revolutionary War, was not yet paid. To these objections Mr. Hughes replied, in a manner becoming his talents and public character.

"The Minister has however, since admitted the justice of the claim, but as the Diet only adjourned last winter and will not meet again for three or four years, the Minister said that they had no funds at their disposal."

After a delay of six weeks the Minister returned the memorial, "and said that the Constitution would not authorize the government to issue any obligations without the consent of the Diet, which will not meet for about three years.

"I have however given them to understand that next winter there will be some warm work at Washington upon this subject. That you had paid into the Public Treasury many millions of Dollars; & in all other respects fulfilled your allegiance to the Government; & in return that you would demand its protection. That the Treaty would expire in 18 months, and that you would in the first place oppose its renewal; & in the second place, if concluded that you would protest against its ratification before the Senate of the United States.

"I told Baron Steckelburg (who is now here) what he might calculate upon next winter, at Washington, in case the claim was not settled.

"The Diet has met I think four times since this claim

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was first demanded (in 1810) but the Ministers never would bring the subject before that body; but our commerce is now of so much importance to them, that a fear of its interruption, and a desire to prevent the correspondence upon this subject from being laid before the world, may at last induce them to do an act of justice."

That these considerations did have such an effect is quite likely, for, five months later, Mr. Connell wrote:

"After a long and painful negotiation I have made a final compromise & settlement with this government & *received payment* in a Bill upon Hamburg.

"I cannot give you any further particulars at present, than that the proportion to which Mr. Girard will be entitled will be about Four Thousand pounds sterling, and that of Messrs. Colhoun & McCrea will be about Twenty-two hundred pounds sterling."

The share of Girard, when paid to Baring Brothers & Co., was £4028.7s. sterling.

Monroe in his annual message to Congress, in December, 1824, had said, that during the late wars in Europe our vessels had been "seized by the governments of Spain, Holland, Denmark, Sweden and Naples, and from whom indemnity has been claimed and is still expected, with the exception of Spain by whom it has been rendered."

The inclusion of Sweden in the list had caused no little alarm, and when the claims on her were about to be paid, Mr. Connell, as a part of the conditions of settlement was required to pledge himself that the claimants would request Adams to announce that the claims were paid.

"In the course of my negotiations with the Swedish Government I found that your interests would be promoted by my engaging that the claimants would write in a letter to the President of the United States, the same as

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that hereunto subjoined. As you promised in your Power to ratify whatever I lawfully did in the premises, I have come under an engagement to the Swedish Government that you will address a letter to the President similar to that hereunto annexed."

The letter reads:

"To the President of the United States.

"Sir—

"Your predecessor in his Message to Congress at the opening of the last session referring to the claims for indemnity of citizens of the United States upon different governments of Europe, noted among others a claim upon the Government of Sweden.

"The Undersigned, proprietors of that claim, are happy to inform you that it has been settled to their satisfaction, and they have most respectfully to request, that in your message, at the opening of its next session, you will be good enough to announce this fact to Congress.

"With distinguished consideration they have the honor to be &c &c."

November 8th the letter was accordingly signed by Girard, McCrea, and Colhoun, and sent to President Adams who, in his first annual message said, "those upon Sweden have been lately compromised by a private settlement in which the claimants themselves have acquiesced."

From Bordeaux the firm of John A. Morton reported the death of Ann Lafargue at the age of ninety years.

"All that Miss Lafargue left in the shape of a testament is represented by a few livres, written and signed by herself, in which she declares that she leaves all her furniture and clothing to her housekeeper, Dame Gauduchon. But the said articles are of very little value and by no means sufficient to compensate the latter for her constant

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care of Miss Lafargue. Indeed she nursed her with a constancy worthy of the highest praise just as a good daughter would in a similar case have nursed her mother. I believe it is only right to recommend her to your generosity.

"Your house will be repaired and put in condition to be suitably rented, but until I receive fresh instructions from you I shall not have any repairing done except what is most urgent. The house is low and of antiquated shape, & has a ground floor and two other stories, making only three habitable rooms. Rented as a whole it ought to bring about fcs. 300 less the yearly taxes which amount to f70 to 80. I think it would be well, in case of disputes with tenants, to send your power of attorney drawn in due form, to Mr. Morton, here in Bordeaux, to represent you in the management of this little property." The house in "rue Ramonet No. 4."

Girard replied: "This news has deeply affected me, but we must submit to the wish of Providence, especially after passing the age of 90 years.

"As to the will of my said aunt in favor of dame Gauduchon, née Moussac, I hope it has been executed. Although I am willing to make compensation for the care which the latter gave the deceased, I am not well enough informed to judge of the value of the services rendered. Nevertheless, I beg you to pay for my account to the said dame Gauduchon, née Moussac, five hundred francs, and if you and Mrs. Morton think this too small, kindly communicate me your opinion on this subject."

Madam Morton replied that to put the house in really good order would cost 600 to 800 francs; that the rent which could be obtained was too small to justify this expense without further instructions and that only necessary repairs would be made.

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"As to the house in rue Ramonet," was the answer, "I thank you for the repairs you have made on it. As the property brings very little, I think it would not be advisable to make any other outlay on it unless we could rent it to a worthy family which would care for everything and be regular in paying the rent which should not be lower than three hundred francs a year. In the latter case I should not be adverse to thorough repairs at a cost of 600 or 800 francs.

"I am naturally attached to the house where I believe I was born. As to the land of my birth I am perfectly indifferent to it."

CHAPTER XV

THE LAST YEARS

THE wreck of the *Montesquieu* and the *Voltaire* reduced the fleet to four ships. For a time Girard thought seriously of building a new vessel to replace at least one of them, and chose as a type the *Superb*. She is described as a sharp built, square-stem ship with three masts and two decks; 117 feet long; 32 feet beam; of $527\frac{2}{3}\frac{5}{8}$ tons, carpenter's measure, and built in Baltimore. To his friends, Luke Tiernan & Sons of Baltimore, therefore, he wrote requesting them to procure her model.

"I take the liberty to request that you will be so obliging as to procure me the plan of the ship *Superb*, built in your port on account of Mr. John Carrere of your city in 1817. I understand that a French Naval Architect made the plan of that ship and died before she was launched. It would perhaps be advisable to speak to one of your confidential friends, who will endeavour to obtain it for you, keeping my name out of view, either from Mr. John Carrere, Capt. Weems, if he is in your port, the carpenter who has finished the ship, or of any other one who may be in possession of it."

"After much enquiry," Tiernan & Sons reported, "we have found the model of the ship *Superb* in the hands of a Mr. Riggin who is a builder of schooners. We have seen him twice, and used our endeavours to obtain it, which he positively refuses to give, although we offered him a reasonable compensation. We shall see him again and make another effort, or if he will fix a price that is moderate we will procure it.

"Shipbuilding could have been done last year on very moderate terms, the price paid was \$32 pr Ton for the

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Hull, spars, & blocks included, the owners finding the copper bolts and the Builder allowed the price that Iron would have cost him. The price of copper bolts is 28 cts. pr lb. Plain Iron work 10 cts. p. lb. & 14 cts. pr. lb. for crooked work. We pay here for Carpenters measure which is about 5 pr. ct. less than Custom House. A very fine ship called the *Peruvian* was built here last year, keel 92 feet straight, 112 feet on deck, 388 Tons, and carried 5000 Barrels. Her cost at sea including everything complete was \$27,000.

“Owing to the increase of Ship Building, carpenters & Blacksmiths wages have advanced. We believe a very good ship could not be built under \$36 pr Ton carpenters measurement.” The time they thought was unfavorable for shipbuilding. So did Girard, and the matter was dropped. But when Captain McLeveen returned he was given command of the *Rousseau* and sent to Baltimore for tobacco for Rotterdam. His presence in Baltimore led Girard to again take up his attempt to obtain the model, and the captain was instructed accordingly.

“I have omitted to mention in its place that I have under contemplation to have a strong fast sailing ship built at Baltimore with the best materials, copper fastened, of the mould and dimensions of the ship *Superb*. I wish you to converse with Messrs. Luke Tiernan & Sons on that subject and to communicate me the result of your information, adding your opinion principally of the necessity of obtaining a competent person to superintend the strict compliance of the contract.”

“I have conversed with Messrs. Tiernan & Sons,” said the Captain, “respecting your thoughts of building a ship here. They tell me they have endeavoured to procure the drafts of the ship *Superb* but thus far without success. It is in Baltimore in possession of two brother

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who are very poor, one of which and who has the most influence is very sick, and the other will not consent to part with it until his brother gets better.

"If you conclude to have a ship built in Baltimore my opinion is that it will be absolutely necessary that you have a competent person to superintend a strict compliance of the contract. I have been told without such a person they will occasionally put in Susquehanna Timber which is not a bit better than our Durham oak.

"The present moment for building a ship here is certainly unfavourable. The Columbian frigate which is now building at this place takes a great number of the best hands for which two dollars a day is secured to them for one year, wet & dry."

Girard, on receipt of this, wrote Tiernan & Sons: "Should I decide to build one I must be in possession of the model of the ship *Superb* either from you, or by taking it from the original after her arrival from Portsmouth, where I understand she entered that port on her way home from Rotterdam."

The owner of the model at last offered to sell it for \$100, a price, said Girard, "which exceeds my expectations. I believe it will be advisable to let the owner thereof fix the lowest price which he will take and then I will accept, or make an offer."

Just at this time the *Superb* reached her home port, and he wrote Tiernan & Sons:

"I am sorry to observe that you have taken a great deal of trouble for procuring the mould of the ship *Superb*, said ship being now in this port, where I intend to give her a new copper bottom, which will compel me to heave her keel out on both sides. I expect that during that operation I shall have a fair opportunity to take her dimensions, throughout, fore and aft, which will suffice for

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the object which I have in view, consequently please to suspend your application to the owners of the mould before mentioned." Mr. Samuel Humphreys was employed to take the model and make estimates of cost, but five years went by and the *Superb* was lost before the building of a new ship was begun.

Bad markets abroad and heavy losses had much to do with the delay. During 1825 a panic swept over England and the Continent. Mr. George, who was at Rotterdam, wrote that "the fall of all public stocks and the very great scarcity of money in England and on the Continent caused a panic, and a complete stagnation in all commercial operations.

"This gloomy prospect is, as I have foreseen, the bitter result of the extravagant speculations which have been made, and also of the extensive operations in stock Jobbing. It has erroneously been supposed that it was sufficient on the part of some spirited men to raise the price of several products from 50 to 80 p. ct. above their natural mercantile value, & thereby oblige & compel the dealers and consumers to submit to their unwarrantable pretensions * * * and what is the result! Bankrupts."

Labouchere of the same city declared: "There is hardly any article which has not suffered from the general panic which has seized the trade. One of the principal causes is the scarcity of money felt in the different European markets which has raised the discount in some parts so high as $8\frac{1}{2}$ to 9 p.c. of which forced sales of produce have been the consequence as your accounts particularly from London, Liverpool, Hambro and Antwerp will indicate. The fall in the stocks also causes serious embarrassments in different quarters. Concentrating all those causes into one general effect we must fear that markets in general will continue in a sick state for some time to come."

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Mr. Curwen, writing from Liverpool, said:

“You will see by the public papers accounts of the most extraordinary distress in London in the money market. Confidence seems to be almost at an end. Seven old respectable & rich Bankers have stopped payment, in consequence of a run on them. Some of them will go on again in a few days. It is said one house paid £1,700,000 in two days; they did not stop. * * It has brought down the price of every description of produce. Cotton has declined about $\frac{3}{4}$ d. in about a month. It was then selling at $6\frac{3}{4}$ to $9\frac{1}{2}$ and 10 d. for the best. At 10, 12 or even 13 cents in America this would leave a profit.”

On a visit to London, Mr. Curwen found that “All acknowledged that money was as abundant in the country as ever, but that there was an inexplicable want of confidence, and what is remarkable the run was made on some of the most wealthy bankers in the city, and some who could not at a days notice pay up all the balances in their hands were obliged to stop, altho, as Mr. Baring stated, there were many of them worth twice or thirce as much as they owed. Some of them are going on again. The Bank of England did all they could to relieve them.”

His purchasing agent in St. Petersburg reported that by last accounts from London

“The distresses felt there had been greater than ever experienced before, which have been felt everywhere, and here in the number. They have driven down the exchanges and produced almost a stagnation in business during the last few weeks. But few orders have been received for the purchase of goods, even for English a/c, so great has been the pressure in a mercantile, but more particularly banking, point of view.”

At the close of January Mr. George wrote from Rotterdam that cotton in England was selling at from $5\frac{3}{4}$ d.

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to 7½d. and that "the distress in Liverpool is beyond expression. Many houses have failed, amongst them Messrs. Curwin & Hagarty. Several respectable London houses have likewise stopped. * *

"Everything looks extremely gloomy in England. Since the failure of 70 Bankers, commercial houses of Great Britain are now giving way to such an alarming degree that confidence is destroyed, and nobody can form an idea to what an extent the evil may go."

Under such conditions, combined with the great stock of cotton in England which was "filling up all the continental markets," he was very much afraid that Girard's cotton, at the high price he paid for it, would cause a heavy loss.

Girard at that time was paying 14¼ and 14½ cents per pound for cotton in Charleston, but on the receipt of the letters from Mr. George he at once replied:

"I observe the deplorable stagnation and ruinous prospect of the British Merchants &c., which are confirmed by several reports also received yesterday (January 12, 1826) from England, and which add that the finances of the country are in miserable state and money very scarce owing it is said to the Bank having reduced its discounts at a moment when the pecuniary situation of the Mercantile class of that country called for the greatest aid." Mr. George, therefore, was to sell the cotton brought by the *Superb* and *Rousseau* at auction as soon as possible. * *

"Should the aforesaid information prove correct, it is prudent to consider it as a source of a contagious commercial disease which in time will spread among those who have had either direct, or indirectly connection with the principle. With this view I recommend you to act in conformity. The present commercial prospect of the commerce of the United States is very discouraging and

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was it not that the sole pleasure and amusement which I enjoy is to be constantly busy in following my usual occupations, I would have quit business long ago."

Cotton selling at eight pence a pound in Liverpool would not, according to Girard, net eleven cents a pound. One hundred pounds at eight pence a pound would produce eight hundred pence. Difference in weight and duty at Liverpool, fifteen per cent, or 120 pence, would reduce this to 680 pence, or \$12.50 for the hundred pounds, or twelve and a half cents a pound, from which must be taken freight, $1\frac{1}{4}$ cents; insurance, $\frac{1}{4}$ cent; interest, $\frac{3}{4}$ of a cent—in all, $1\frac{8}{10}$ cents, leaving about $10\frac{3}{4}$ a pound for cotton costing $13\frac{1}{4}$ cents.

Nevertheless, his ships must be employed. The "sight of them" at his wharf "was painful," and the *Superb*, *Helvetius*, *North America* and *Rousseau* continued to carry cotton and tobacco to Liverpool, Bremen, Rotterdam, Havre. "As to profit," he wrote Mr. Bickham, now established as a commission merchant at Havre, "I do not expect any. Therefore if first cost, charges and the interest of the funds can be obtained, I will consider myself fortunate.

"My principal object in shipping it is not the profit which I have reason to expect, but merely to procure you some business and to open the way of having future dealings with the Regie." To his Alexandria agent, who had purchased five hundred hogsheads of tobacco at the average price of \$5.40 per hundred pounds, he said, "that price will not do for the European market, however as I have been unfortunate by losing upwards of Thirty Thousand dollars, by the tobacco which you have purchased on my account, I must be silent on the last investment." Cotton sent by a chartered vessel when sold brought, fr.129,136.67 centimes, or \$24,213, which left,

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over and above invoice cost, \$128.20 to cover freight, insurance and interest on the funds. Nevertheless, before the year ended the *Superb* sailed from the James River with a cargo of Virginia tobacco valued at \$82,790, consigned to Mr. Bickham, and the *Rousseau* went to Alexandria for tobacco for Amsterdam.

During the year Girard heard of the death of his sister, Madam Capeyron, and renewed his efforts to secure a settlement of his claim against Denmark for the capture of the *Good Friends* in 1809. The success with which Mr. Connell had prosecuted his claim against Sweden led him to select that gentleman to act for him in Denmark. The claim, for costs and damages of all sorts, arising from the illegal capture by the privateer, loss on the cargo when sold, with seventeen years' interest on the claim, amounted to \$68,529.93.

Nothing was heard from Mr. Connell till 1828, when he returned to New York and wrote:

"It was fully my intention to have written you from Copenhagen, but up to the close of the Navigation of the Baltic, I was not able to say anything decisive respecting your claim upon the Danish government; and soon after that event I was constantly in the expectation of returning home. The Danish Government will not listen to any claim for the detention of vessels, during the late war. I am not however without some hope that Mr. Wheaton, our *chargé d'affaires* to Denmark, may be able (to) conclude a General Convention for spoliation upon our commerce, in which case your claim & others under like circumstances will be included.

"Mr. Clay wrote to Mr. Wheaton upon the subject of your demand. It is now lodged with the legation at Copenhagen and also deposited at the Department of State."

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Mr. Connell was not disappointed in his expectations and in March, 1830, a convention was signed at Copenhagen, and in June was duly ratified by the Senate and proclaimed by Jackson. By it Denmark bound herself to pay 650,000 Spanish milled dollars "On account of citizens of the United States who have preferred claims" for losses arising from the seizure, retention, condemnation, or confiscation of vessels and cargoes, or property, by public or private armed ships, or by tribunals in Denmark, or in states subject to the Danish scepter. Under this treaty the executors of Girard were paid \$10,500 for actual losses in the cases of the *Good Friends* and *Helvetius*, which, without interest, amounted to \$48,114.

Among the many appeals to aid enterprises of all sorts made to Girard at this time, is a letter from Samuel Hyde Saunders enclosing a letter from Josiah Warren, describing what came to be known as "Warren's Time Stores." Mr. Warren had joined Robert Owen in his attempt to found a new social system at New Harmony, Indiana, had disapproved of the community plan and, carried away by the idea of Individualism, set out to found a new social system of his own in which the Time Store played an important part.

Writing from Cincinnati, in January, 1828, Mr. Saunders gave "A detailed account of the operations of Mr. Warrens principles for a New Social System which he has commenced in this city," and said, that from the length of the letter, the novelty of the system, and the bad hand-writing, it was possible Mr. Girard had not given it, "an entire reading" and continued:

"At the Deposit a few days since Mr. Warren after informing me that the Community called New Harmony, founded by the celebrated Robert Owen of Lanark, had written to him for a detailed account of his arrangements,

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which they with Mr. Owen now among them, have determined to avail themselves of, he put into my hands that account. Mr. Warren's letter to Owen reads:

"I have just received your letter of the 21st ult. in which you desire to be informed of the System of arrangement adopted at this Magazine. * * * *

"*Plan.* The whole is based upon the simple principle of complete FREEDOM. There are no Constitutions, Laws, Rules, or Regulations whatever, excepting such as each individual chooses to make for himself, and his own affairs. No one has any description of power over another's actions, thoughts, or interests, and when any intercourse takes place between us, it is the voluntary choice of all concerned, and when any business is transacted between us, it is done upon the principle of an Equal Exchange estimated by the Time employed on the service as proposed by Mr. Owen.

"A Magazine is established as a place of Exchange where the different articles of labor are received and given out. Having ascertained the average amount of Time required to produce the various articles which supply our wants, these Estimates, written upon Lists or Tables hung up in the Magazine, are considered the standing prices of these articles, and by these prices the articles are received and given out. So that one may bring an article to the Magazine that is estimated at Three Hours Labor and take in exchange anything else which cost Three Hours Labor; and this is the substance of the whole Plan. But the details will require further illustration.

"The Keeper must be paid for his Labor and the Expenses and Losses must be made up, and yet there must be an *Equal Exchange*, and no *Speculation*. In order to accomplish these ends, the following method is now in operation with us.

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“When any one comes to deposit his Labors, I deduct from it according to the Time I may be employed in receiving it, and when one comes to take out articles I deduct according to the Time employed in delivering them. But as the receiving and delivering articles appears at present to be only half of my labour I deduct *double the Time* actually employed in the business. Thus, if by the Clock I am employed Five minutes, in receiving or delivering an article, I deduct Ten minutes worth of the persons article, and consequently give him ten minutes less than the estimated price.

“But this is not perhaps so convenient a way as it would be to have the whole Time of the Keeper made up by the associates equally and paid to him monthly or otherwise. But I am obliged however at present to pursue the former method, because I am in the midst of heterogenous population who are all strangers to each other, to whom I wish to give an opportunity of becoming acquainted with arrangement, so that if my time was devoted to a few they would be excluded.

“We have Labour Notes, as a *circulating medium*. And if any one makes a deposit in the Magazine and does not immediately wish to take out its Equivalent, the Keeper gives him a Labour Note signed by himself purporting that a certain number of *Hours* or *Minutes* are due *the bearer* at the Magazine. So that when this person receives the services of another that cannot be deposited in the Magazine such as those of a Painter, Carpenter, Teacher, Physician, &c., he pays him these Notes according to the Time employed in that service; and the holder of the Labour Notes goes to the Magazine and draws out anything he pleases to the same amount of Time.

“In the commencement we are obliged to buy almost everything with *money*. Those articles I purchase on the

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best terms (or if received from foreign merchants on consignment, for sale) and I sell at cost precisely unless there is some loss upon the article. In that case, the loss is added to the price; the purchaser paying me *double Time* for the reason before given, out of the Labour Notes in his possession, which alone can equally command my services and reward me for them. And thus here, also, producing and securing an equal Exchange of Labour between the purchaser and myself.

“As rent, drayage and other expenses are now paid in money or chiefly so, I add *one cent* to the price of cost or invoice price of all articles, on sums under *one dollar*, and *the same* on each dollar in every individual sale. I keep an account of all the money thus received and an account of all expenses and *Losses*, and every two months balance the one against the other to see how the Establishment stands. But the precise state of the Magazine can only be obtained by taking an *account of stock*. This has not been yet done; but so far as I can ascertain, it appears that this fund is about \$30 ahead of the expenses. And if on taking the account of stock, it should appear that the Establishment has gained more than will be necessary to keep as a fund to pay losses and expenses, I shall distribute the surplus among the associates, or apply it to the propulsion of machinery or some other purpose in which they will receive its advantage; for I am determined to have no speculation in these arrangements. I keep posted up to view in the Magazine the Bills of all my purchases and my Invoices, and besides this read them over at our Wednesday Evening Meetings, so that all who attend cannot help knowing that no advantage can be taken of them, and that a fair and equal exchange of Labour really takes place between the Keeper of the Magazine and themselves.”

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Mr. Saunders having thus quoted the letter of Mr. Warren to Mr. Owen, goes on to say that a second Magazine has been established in Cincinnati, and that another is about to be opened, "at a thriving village about 20 miles from this City," in the course of a twelvemonth if enough signatures can be obtained; and that, as a suitable site, he had offered them a choice of two tracts of land he owned. Another very desirable site for such a community was the most western point of Lake Erie, in Ohio, "a point at which all navigation from Eastern America and from Europe by way of this Lake must stop, and from which the whole of our Western and Northwestern Country must be supplied with foreign merchandise, &c. This is near a new city, Clintonia, laid out by a company from this city." For many reasons it seemed better, however, to locate it near to, or in the heart of, a great city, "because of the benefit to be derived to society by its principles and example." A section of land (640 acres) close to the city could be purchased for \$6,000, if the small number of associates ready for a community could raise it. Would Mr. Girard assist in carrying out a project which had for its object "the best interests of the present and all succeeding generations?"

More careful consideration led to the abandonment of this plan, and when Mr. Saunders next wrote he had selected a township of unappropriated public domain which General Smyth suggested might perhaps be had by petition to Congress; but, when proposed to the New Social System people, "was dissented to by them on the ground of culpable servility. They contend that the earth on the condition of subduing and possessing it, is the usufruct and inalienable right of every man in common with all, as much as are the air circulating above, or the water flowing around it. That, as both of these, by

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the divine appointment, equally administer, in a corresponding degree, in supporting the vegetables from within the earth, and the creatures from above, and upon it. So that no more should that which can be meted out to the exclusion of others be lawful, than those which cannot be."

"Just before I left Cincinnati, a well-printed semi-monthly journal entitled, 'The March of Mind' appeared in its first number, to which I subscribed. A free discussion of all subjects involved by its title will be continued upon its pages. Among them the Editor has taken up two subjects relating to the principles of the New Social System. The one is that of 'Labor for Labor' and the other the 'Monopoly of Lands.'" A copy was sent Girard. The last letter from Mr. Saunders announces that "The March of Mind, for want of the support which would accrue to him by the addition of about 200 subscribers to his present list, will, it is apprehended, be obliged to be stopped, and the Editor, myself, and a few others expect shortly to settle down by Dayton in the cultivation of the Vine, the silk, &c."

The heavy losses on his shipments during 1827, Girard attributed, not only to low prices abroad, but to unnecessarily high prices paid at home by his correspondents. He determined, therefore, to entrust the buying of cotton and tobacco to agents who should visit the States where these staples were grown, search for the cheapest markets, and have no other business than to supervise purchases on his account. Mr. Meredith Colhoun was accordingly recalled from Holland, and Mr. George, Jr., in the *Superb*, was dispatched to New Orleans.

Mr. Colhoun was to go, first to Washington, visit a certain broker there, inquire as to the quality and quantity of Maryland tobacco, and decide if it were possible to

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purchase 500 hogsheads at such a price as would leave some profit. From Washington he was to proceed to Alexandria, visit the house then buying tobacco for the Amsterdam market, examine the quality of what they had already bought, see if it was such as he had ordered, watch closely, and if he thought proper, stop all further buying.

Charlotte Hall, St. Mary's County, was next to be visited, and if, after careful inspection, he found the quality of the tobacco of that neighborhood good, and the price reasonable, contract in writing for 500 hogsheads.

Under his supervision 1575 hogsheads of tobacco were purchased, and carried by the *North America*, *Helvetius* and *Rousseau* to Amsterdam, where the tobacco which cost less than four dollars per hundred pounds sold at from 18½ to 19 cents Netherland money, or 19/100 of a florin, and netted, florins, 157,690.09, leaving a profit of nearly a hundred per cent.

In October the *Helvetius*, *Superb* and *Rousseau* were back at Bermuda Hundred for more tobacco, and the *North America* at Alexandria, and by the middle of November all were on their way to Europe, the *Rousseau* to Bordeaux, the *Helvetius* and *Superb* to Havre, and the *North America* to Amsterdam.

While the ships were loading, letters from abroad announced that the wheat crop had failed in Europe, and that the harvest in England was likely to be poor. The *Superb* therefore took out two hundred barrels of flour, which on board cost him \$6.03 per barrel; but each letter from Virginia reported a rapid rise in price until flour, sold at \$10½ a barrel, and no more was bought.

"I am not astonished," he wrote, "at the high price of wheat & flour with you. Our flour factors here are asking \$9 p. barrel, but I have not heard of any shippers

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having purchased at that price. I will think myself very fortunate if the 200 bbls. which you have shipped on my account on board the *Superb* will, after paying invoice cost and freight and all other charges, leave a clear profit of one dollar and a half p. barrel." The "clear profit" was \$4.40 per barrel.

Not every adventure yielded such return. Cotton sent by the *Superb* to Havre, "which cost on board \$13,535.10," netted "francs 73,478, equal to \$13,776.92, which leaves \$241.82 to cover freight, insurance, and interest of the funds; that per *Helvetius* is still worse."

The money made by Girard during these years, 1825 to 1828, came from his bank, and seems to have been largely invested in real estate. Since 1812, forty-one purchases, farms in Passyunk and Moyamensing, houses and lots in Chestnut, Spruce, Water and Front Streets, Third, Fifth and Eleventh Streets, had been made at a cost of \$366,652. Out of the city he had acquired a great tract in Louisiana, a part of the Baron de Bastrop's grant.

The attention of Girard was drawn to the Ouachita lands by the 12,500 arpents turned over to him as part payment of the debt Mr. Carrere owed Laffitte & Co. This tract he had held ever since on account for Laffitte & Co.

On June 7th, 1829, he reported to Laffitte & Co.: "As it respects the land which I have received from Mr. Carrere, and obtained from him his title in my name on your account for 12500 arpents being part of the Baron de Bastrops grant, which in the first instance consisted of 12 leagues square, Congress has not done anything in it, nor do I expect they will do it for some time to come in consequence of large tracts which they own themselves in that neighbourhood, and are anxious to sell. I own myself upwards of 180,000 arpents of the aforesaid tract,

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and have commenced a settlement thereon where I have upwards of 30 slaves beside overseers, and feel perfectly tranquil as it respects the nature of the title." And so the matter stood when Girard died.

His own holdings began in 1822, when he joined with Mr. Robert E. Griffith and James Lyle in the purchase, from the trustees of the heirs of Abraham Morhouse, of $\frac{4}{10}$ of the Bastrop grant. The price paid was \$21,000, which was divided into 21 shares of \$1,000 each, Girard taking 10, Mr. Griffith 8, and Mr. Lyle 3. The same partners bought 10,000 acres more; but at the time of Girard's death, the land had not been divided. Thus started in the land speculation, he began to buy heavily on his own account, paying from 15 to 21 cents an acre, until he had, in all, 200,370 acres. All this was placed under the care of Judge Henry Bry of Monroe, Louisiana, at whose suggestion some 30,000 acres were improved. Houses were built, a gin and a mill erected, slaves purchased, an overseer engaged, and cotton, some few bales of which he shipped to Amsterdam, was grown. With his characteristic desire to have everything of the best, Girard sent from his own farm several fine bulls, cuttings of grapevines, and vegetable seeds and grain of the best sort. According to his executors, the outlay was \$42,680.91, from which he derived but a few hundred dollars in cotton and produce.

His letters to Judge Bry afford occasional glimpses of his life on the farm "in the neck."

"At my age the sole amusement which I enjoy, is to be in the country constantly busy, in attending to the work of the farm generally, also to my fruit trees, several of which, say about three hundred, I have imported from France, and I hope will be useful to our country. In addition to that I have two extensive gardens, the whole

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of which I direct throughout. In consequence of not having a good overseer nor gardeners, all my valuable fruit trees are uniformly planted or trained by me. On the subject of gardening, if you want some good cabbage, lettuce, celery, onions, carrots, beets, turnips, parsnips, and other vegetable seed please to let me know it. I raise it myself, from seed which I received from time to time from different places in Europe, consequently it is pretty good, and I will send you what you want for your own use.

"I have taken much pains with grape vines. Our severe winters is a great obstacle to their progress. For this few years past I lay them down and cover them with earth in the fall, and take them up in April. They appear to do a little better. The last season, I had some good fruit. I have about 250 of the best sort imported from France, and Spain, except one vine which is pretty large, and raised from the seed of a grape imported in a jar from Malaga. Out of that vine I had last season several fine large grapes in full maturity."

Girard, as is well known, was blind in his right eye. The disease was cataract, and attracted by an advertisement, brought back, it may be, by one of his captains, he instructed Mr. Edward George to procure some bottles of the remedy, and on their delivery wrote "Mr. John Williams, Oculist, No. 26 Rue de Moulin," enclosing a draft in payment of his professional fee of "one hundred guineas, which at the par of exchange is Francs 2,488.90 which I consider very high," and asked if the use of the remedy made necessary any change in his mode of life.

"For upwards of 4 years, I have contracted the habit of using nothing but ship bread and vegetables. I neither use milk, butter, meat or fat of any kind except sweet oil of the first class which I have imported from Bordeaux.

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As to my drinking it is black tea at my breakfast without sugar or cream. At dinner I generally drink once claret and water about half and half after having drank a tumbler of pure water, and I close my dinner with strong coffee alone without sugar &c. In regard to supper I generally take a tumbler of water alone." Again he writes, in 1830:

"I have received your very interesting letter from Paris of the 18 January, and altho the advice you are so obliging as to give me respecting the mode of using your remedy &c and attending to my afflicted eye, I have continued my old habits, which are to get up very early in the morning, generally before sun rise, and often before break of day, and then to pour cold water in a basin to put my eyes in it, which I open and shut in said water. Afterwards I wash my head, dress myself and after day light I have five drops of your remedy dropped in my eye and then open and shut my eye while the said remedy operates, which generally lasts from four to six minutes, and after it is done I go to breakfast, and attend to my business in the city and country.

"I have had slow and favorable progress. The skin that covered the eye was thick and of a yellowish appearance. It is now much clearer and lighted particularly in the center and on the right outer edge of the pupil which can faintly be distinguished under the cataract. As to recovering the sight of that eye I have very little hopes, and should it be the case I will advise you, and will consider it as a great miracle, particularly as I do not remember when I lost sight of that eye, indeed if it is since I was born, and must have been very young. In regard to my mode of living it is principally vegetables. I eat no meat, no fat, no butter, no milk of any sort. In regard to my drinking it is claret and water and one bottle of

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the first lasts me six or seven days. & as to doctors they do not visit my house, and I consider myself in the treatment of fevers, cuts, sores, &c., as competent as any one in the United States, therefore I shall not put any one in competition with you."

In January, 1830, the *Superb* and *Rousseau* were on their ways to Europe and the *North America* and *Helvetius* coming home. The *Helvetius* was first to enter the Delaware, but the Captain, finding the river full of ice, went to sea quite in ignorance of a dreadful accident.

"I take the liberty to inform you," wrote a stranger from "Lewes Town," February 5th, "that your ship the *Helvetius* received a pilot (Mr. John Marshall of this place) on board this afternoon, and arrived in our roads about sunset, and I am sorry to inform you that the row boat in returning from the ship, it blowing fresh at North, and a heavy sea running, was oversett on the outward bar, having nine souls on board, and five of them were drowned. The remaining four succeeded in reaching the shore in a very exhausted state, one of them only being able to crawl toward the Town and by his cries for assistance we were attracted to the Beach and thereby saved them from perishing we hope, but it is not certain that they will survive, being very much frozen."

Said another: "Permit me to acquaint you with the arrival of your ship *Helvetius* in our roads last evening about dusk. She was seen off Indian River yesterday morning and the keeper of the lighthouse made the customary signal of her being in want of a Pilot. The wind was blowing out of the Bay very fresh and the whale boat with 2 Pilots and 8 men went out to sea to assist her. She was boarded about 10 miles outside the Cape and succeeded in getting in to anchor about dusk. The whale boat left her after she came to anchor and owing to

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the boisterous weather and heavy sea she was capsized and mournful to say 5 out of 9 men were drowned and the residue driven to the shore upon the boat almost lifeless. The Pilot in the Boat Mr. Virden was drowned. Several letters were found upon him which the Capt. had given him to be mailed here. * * *

“In a little village like ours you may well imagine how much distress this sad catastrophe has produced. Mr. Virden left a helpless mother and Mr. Orten a destitute widow with 2 helpless children without a friend to aid them or support them.” The writer then asks Girard’s kind “offices of charity in behalf of his poor widow and orphans. A little pittance from several of the kind merchants of Philadelphia would give great comfort and relief to them.”

Concerning this disaster the Captain seems to have been ignorant. He made no report on it, but under the assurance of the pilot that “the bay and river is full of ice,” and that he could not “proceed up this bay before a change of weather,” sailed for the port of New York.

Girard now thought of putting the *Helvetius* up for Havre, or Liverpool, or any port in Europe, or even South America. But his correspondent replied that the rates he demanded for freight could not be had, that even at current rates not enough freight was obtainable to fill the vessel, and after a delay of a month she was sent to Bermuda Hundred for a cargo of flour and consigned to Liverpool.

Just as the *Helvetius* reached New York the *North America* came in from Lisbon with salt, which proved so unsalable that she went to Norfolk for a market, and for tobacco for Amsterdam.

Reports from his correspondents abroad showed dull markets made worse by the unusual severity of the winter.

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The *Rousseau* was held by ice in New Deep with no prospect of getting to Amsterdam before March, and the *Superb* at Cowes waiting for the ice to permit her to enter the New Deep. From Havre Mr. Bickham wrote:

"The cold is intense, with much snow which has suspended all communication by water with the interior & the Roads are so blocked with snow that land carriage is rendered difficult. This of course makes business stagnant.

"We regret much that we have at present nothing under our charge at Havre of your concerns but that of sending on the samples of your tobacco to Paris & for which there is plenty of time as the Concours is announced for the 1st of March on which day the Inspection will commence & the Result will be known from the 1st to the middle of April."

When made known it was most disastrous to Girard.

In July of 1830 the two nieces of Girard, Mrs. Clark and Mrs. Haslam, who had been travelling in Europe, reached Paris and under date of the 29th Mrs. Clark wrote:

"The important events of this week, cannot fail to engage your notice, dear Uncle, if I am, as I hope to be, the first to relate them, and having been an eye witness to many of the occurrences, they may be depended on, altho' from being no Politician I may not deduce correct inferences from causes so novel.

"Paris is at this moment in a state of great agitation and presents a scene difficult to realize. All the shops are closed, the pavements torn up and with the stones high and numberless barricades have been built. No carriage or vehicle of any kind can pass the streets. But I must begin with the origin, the King again dismissing the Deputies, and immediately after issuing an ordinance prohibiting the publication of newspapers, & thus num-

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bers of the populace were left idle and indignant. They arrived with clubs, pitchforks or any weapon they could find, and crying, 'a bas le roi,' assembled as fast as the gens d'armes and artillery could disperse them. All the Military were called out to quell the people, but none but the Royal Guards would fire on their fellow citizens. The collision between them and a few of the miserable people, without coats, and no weapons but guns, took place at the head of the street we inhabit (rue de la Paix) and the Boulevards, and we saw 4 of the Royal Guards fall, and then fly before a handful of men who daringly presented themselves in front of hundreds of soldiers who lined the street. To their honor be it recorded they refused to fire, or the brave band would have been dispersed in atoms. The hated Minister, Polignac, then sent a flag of truce, with proposals which did not meet the wishes of the exasperated multitude, or rather feeling strong in their newly gained victory, nothing short of a complete change in the government would satisfy them. Shortly after most of the troops cried, 'vive la chartre,' and joined the National Guards. The Royalists sought refuge in the Bois de Boulogne and the people employed themselves in blockading the streets and preparing for an attack from the discomfited Party, who, with the King were at S. Cloud (abt 2 leagues from the Capitol). Gen^l LaFayette was chosen commandant of Paris. The old gentleman has accepted the honorable and responsible office. At the call of his country, at his advanced age he exchanged the calm and quiet of La Grange for the hustle and danger of revolution.

"July 30th

"The last news from S. Cloud is that the King abdicated in favor of his son the Duke d'Angouleme. The Deputies refused *him*. He then resigned in favor of the

young Duke of Bordeaux. He did not meet their approbation. Some talk of the Duke of Orleans, others of *Napoleon the Second*. As yet all is uncertainty. The only thing in which there is unanimity is in having nothing to do with Charles or the Bourbons. They seem a fated family! Mr. Laffitte has just passed in a kind of palanquin, having been wounded yesterday he is unable to walk, and from the obstructions in the streets that is the only way he could attend the meeting of the Deputies. Many lives have been sacrificed; but on the whole the change has been effected with much less bloodshed than could have been expected, and the populace have behaved with wonderful propriety. The tricoloured flag crowns all the Public buildings, and the tricoloured cocade is the ornament of all the hats in Paris. As far as I can learn the same spirit prevails in all the Departments of France. It will be in vain for foreign powers to crown a king of France who is not approved of by the nation. The spirit of their ancestors still lives in their descendants and they never will submit."

"The whole city," said Mr. Colhoun, "and, as far as has been heard from, the interior, have been in a complete revolution, in consequence of the King and his ministers passing the late unjustifiable ordinances suppressing the liberty of the press, dissolving unconstitutionally the newly appointed Chamber of Deputies, composed of the most wealthy and respectable people, before they had assembled, and annihilating, almost in toto, the right of suffrage.

"As you may conceive no measures could be more unpopular, and ever since they appeared in the public prints on the 26th inst., the discontent and excitement against the King and his Ministers has increased to a violent and alarming extent, that in a short time after

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they were published the entire population was in the most open state of rebellion against the Government; all kinds of trade were at once suspended, the Exchange, every shop, Coffee House, &c, in all directions closed. Bankers refused to pay or accept, in fine all confidence has been entirely lost.

“On the day after the decrees the population appeared in the streets with all descriptions of arms and implements to assert their rights, and as the King had given orders for the Royal troops to fire on the people in case of opposition the massacre and bloodshed was very great. On the 28th the inhabitants becoming better equipped the engagements were still more desperate and bloody, and in consequence the number of victims that fell much greater. All the different streets all over the city have been barricaded at each end by paving stones, and trees cut down from the public walks to prevent the cavalry and artillery from passing, which has intercepted all communications but to those on foot. In the course of the day several of the regiments of the line refused to fire and came over to the Inhabitants, who had already succeeded in gaining the principal posts, and it was then evident that they would succeed in repulsing and driving the troops from the city, which they succeeded in doing on the 20th after very hard fighting during most of the day.

“The city now I am happy to say assumes a more tranquil aspect, a provisional government having been formed composed of the most influential Deputies, M. Laffitte being the leading member in the Municipal body, and General Lafayette having been once more called to the head of the National forces as Commander in Chief. Several communications have been received from the Ex King offering to change his Ministers, and indeed to abdicate in favor of his son, but this has been done too

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late, as the people, now it appears, will not consent that the Bourbon family again ascend to the throne. They are certainly in the right for there never was as ignorant and bigoted a man as is the present King. The Ministers have all secreted themselves, but many suppose that they are still in the city. If they should be taken I would not be surprised that they will be executed as the Provisional Government has declared them traitors to the Country. It is very probable that the Duke of Orleans will be elevated to the throne as the new Government has named him Lieutenant General of the Kingdom."

On August 1st Mr. Bickham wrote from Havre:

"Charles X has fled to the frontiers, and a Provisional Government has been formed under the direction of the Duke of Orleans who is appointed, or has taken the command under the Title of Lieutenant of the Kingdom and it is presumed he will be proclaimed King. The House of Peers and Chamber of Deputies elected under the first ordinances are to meet on the 3^d of the month to establish definitely the new government, but there are Elements of Discord still existing, which may lead to great confusion and disaster. The King, Charles X, has not abdicated, and if the Duke of Orleans should be proclaimed King, or the Bourbons entirely excluded by the People and another form of government established it may lead to Civil War and embroil the country with the other Powers of Europe.

"The intelligences from Paris of yesterday is of a more tranquillizing nature. The shedding of blood has ceased. The Troops generally have sided with the People. The shops have been opened and Business is resuming its usual course. It is not known yet where Charles X has retired to but he still persists in remaining King and I fear there will be civil war. Indeed no opinion can be formed now

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how this will end. The Troops here have taken part with the People also and all is very quiet.

“The citizens of Havre have formed a ‘Garde Nationale,’ composed of merchants clerks of Compting Houses, to Patrole constantly the streets and maintain order; this occupies nearly their time and as almost all the manufacturers have discharged their workmen it will be some time before commercial transactions take their usual course.”

A week later Mr. Colhoun wrote: “Since the downfall of the Bourbon dynasty which has been so fortunate an event to the country, it may now be considered as about to assume an aspect quite different to what it has been allowed to do at any former period, inasmuch as it has exterminated a family whose whole object seemed evidently bent on the destruction of its institutions, as well as of its external and internal prosperity.

“It has scarcely been 12 days since the tricoloured flag has been hoisted and really it is impossible to conceive under the New Government how great and unanimous has been the satisfaction that all classes have experienced by the change. Confidence is becoming entirely restored, and will be established shortly on a much surer and firmer basis, than it has been at any former period, and it will cease to be continually harrassed, as it has been heretofore, by the undecided and weak measures of an ill-directed Government. * * *

“The Ex King and Royal family by this time have reached Cherbourg, where two American vessels are to arrive from Havre to receive them, and may probably land them in England, Italy or the United States, it not yet being known what country. The Chambers have been in session since the 3d instant, and proclaimed the day before yesterday by unanimous acclamation the Duke of Orleans *King of the French people.* * * *

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“Ever since the result of the Concours I may say we have had to contend with a succession of events. With three different Ministers we have had to renew our exertions at each time, and no sooner had we arrived at the moment when we expected a decision, than they have been dismissed from office, but I hope now that we have nearly reached the end of our difficulties, particularly since the late troubles the Director General has not been heard of, and Mr. Pasquin has been appointed in the situation *Pro tem*.”

Mr. Bickham on August 10th reported that:

“The Ex King and Royal family are on their way to Cherbourg escorted by commissioners from the Provisional Government, to embark on board two American vessels (The Packet *Chs Carrol* and *Great Britain*) chartered here (Havre) for that purpose. It is not known to what part of the world they will proceed, but it is suggested it will be to Naples.

“It is generally expected that the Regie of Tobacco and all monopolies in France will be abolished by the New Government. They are part of the remains of the Despotic Government of the Empire which the Bourbons at the Restoration promised to do away with and which they continued under the pretext that they could not dispense with the Revenue they produced, but the New King, if the country remains quiet, will restore such order and economy in the Financial Department that will enable him to correct many abuses and Relieve the people of much Taxation.”

On September 1st, 1830:

“Confidence is not restored yet in this country which renders money scarce and commercial transactions very limited. * * * The workmen of the manufactories have not returned entirely to their usual habits of industry

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which leads to disturbances and apprehensions of the Tranquility of the Country and how long this state of things will last is uncertain.

“Foreign Powers have not Recognized the Dynasty of Louis Phillip the 1st yet. It is Reported however, as Certain that England will do so in which case it is Expected other Powers will follow her Example. But as a Revolution has commenced in Belgium with great violence, in which Brussels has been the Theatre of much bloodshed, and accounts having been received of commotions in Spain and Italy, particularly at Naples where it has been reported the King and Queen have been imprisoned, may cause the Recognition to be delayed and leave things in a state of uncertainty.”

The revolution in France seems to have given Girard little concern. His time was taken up with his farm, his bank, his new buildings and his ships. The *Helvetius*, on her return from Liverpool, went direct to Alexandria for tobacco consigned to Amsterdam. The *North America* in May sailed from Alexandria with 582 hogsheads of tobacco for Amsterdam, just as the *Rousseau* and *Superb* reached Philadelphia. The *Rousseau* was sent in July to Alexandria for tobacco destined for Amsterdam, and towards the end of the month the *Superb* was dispatched to New Orleans, a port she never reached.

She was consigned to Zacharie & Co., at that city, to whom, September 18th, 1830, Girard wrote:

“On this day I have received the unpleasant information of the loss of the Ship *Superb* on the Berry Islands. As that unfortunate circumstance deprives me of that opportunity of sending the cotton and tobacco which you have already purchased for said ship, please to ship those articles per one or two opportunities to Amsterdam.”

“Through my neighbours and friends Messrs. J. &

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S. Perot," he wrote Mr. John Starr, Nassau, "I have been informed of the unfortunate loss of the Ship *Superb* under the command of Capt. Collinson, from whom I have not yet received any letters and to whom I write by this opportunity, under this cover, which no doubt will be communicated to you, for the purpose of requesting him to have all the articles which have been saved from the wreck of the said ship shipped to this port, therefore be so obliging as to see that my request is complied with on the most advantageous terms."

The enclosure to the Captain reads: "The unfortunate loss of the ship *Superb* (on which I had no insurance whatever) on the Berry Islands, was made known to me by my neighbours Messrs. J. & S. Perot who have received a letter from Mr. John Starr who at the same time informed them that you intended to write me by the same conveyance.

"Not having heard from you I request that you will do everything in your power to have all the articles saved out of the wreck, say anchors, cables, standing and running rigging, furniture, compasses and all other appurtenances belonging to said ship, shipped on board the first vessel for this port giving preference to that which the underwriters &c. are about sending to Nassau, observing nevertheless not to ship anything that will not after its arrival at this port be sold at a price that will realize the salvage, if any and charges."

The *Superb*, according to the story of the Captain, passed the "Hole in the Rocks" late on the afternoon of August 14th, and continued through the Channel, as it was his purpose to run past the Berry Islands and then anchor, or run on, as might seem best, as he wished to get a departure from the Berry Islands, "at daylight the next day." But, "at eight o'clock the weather became very bad

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suddenly and the wind increased to a heavy gale which brought the ship under close reefed Top Sails.

"By 10 P.M. the gale had increased to a perfect hurricane and the sail was reduced to a close reefed main top sail and reefed Fore Sail. The wind had shifted to N. N. E. and so very heavy it was doubtful if the *Canvass* could stand it. At 11 P.M. Breakers were discovered on our weather beam North of us, for we were steering W. by N. per compass and by the Log had passed the Key. This induced me at the instant to think we were on the Ahica shore as I had been steering to windward of the Channel course. Our situation was quickly discovered and the ship's head wore round to the Southward and Eastward, but the gale and sea had increased to such violence that she could make no head way. In a few minutes after the sea gave her stern board, she struck and bilged instantly.

"We remained on the wreck until late the next day and in a most perilous situation. The wreckers of this place have saved a great deal of the cargo and the materials of the ship. All the cargo that was wet I have with the advice of Mr. Starr the agent of the U. S. Government here, should as it comes up from the wreck. That which is dry will be reserved until instructed what to do by its owners. About one third I judge will be saved dry and in order."

The goods in question were carried as freight, for which Girard was to be paid \$1,402.57. It was to determine the loss on this freight that the underwriters sent the ship *Amelia*, to which Girard alluded in his letter to the Captain.

"Such of the ship's materials as sells low and is in good order I buy in order to have the salvage adjusted. There is no money among the people here and I think if Invoices of the Goods saved in order, could be forwarded here it would be most advantageous to the owners of them in

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settling the salvage to have them sold and bought in for their account. There are several other wreck cargoes come in here and my opinion is their funds are nearly exhausted purchasing damaged goods. If the goods are to be valued, there are no disinterested persons in the place. They are all concerned more or less in the vessels who saved the goods. If not in the vessels those negers have been employed by them and are entitled to some share."

To replace the *Superb* Girard at once began the building of a new ship on her model.

On the whole, his shipments during the year had not been profitable; some had just paid first cost, freight, insurance and his "peace profit" of five per cent; others had not yielded much more than first cost. One, a cargo of the *Rousseau*, shipped in October, 1829, sold in 1830 at a profit on first cost of \$495. Against this was to be charged freight, insurance and profit.

Some of these cargoes arrived at Amsterdam in the midst of a revolution in the Netherlands, when the markets were greatly affected by political conditions. When reporting the arrival of the *Rousseau* in September, his Amsterdam correspondent wrote:

"The disturbances in Brabant and Flanders are not yet quelled and occasion there much stagnation in Trade which may be of a bad consequence for Antwerp as well for the present as the future, and we have been told that already various quantities of goods have been sent from thence to this Place. Moreover it appears by the Exchange between that Place and this that a scarcity of money is felt there. Here as well as everywhere in the Northern parts of this Kingdom we are enjoying perfect quiet and not the least sign that peace will be disturbed." In a postscript added ten days later the writer adds:

"The day before yesterday Brussels has been taken

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by our Troops after a bloody fight with the rebels, but details have not as yet reached us. Antwerp is nearly as in a state of siege. Several men of war are stationed on the Skelde before that city and a strong Garrison keeps the place within. Of course business there are all at a stand."

Later still, when announcing that the *Rousseau* had gone to sea, the same house gave a fuller account of the fight in Brussels.

"According to intelligence from Brussels we are to understand that the rebels had kept possession of the lower part of the city, and because the Troops did not intend to destroy it by a cannonade they had consequently left also since the Higher part of the city. The insurrection gains ground more and more and altho hitherto the peace has been maintained within Antwerp, they are however obliged to use strong measures to make it continue so."

Mr. Bickham, disposed by nature to see the dark side of things and events, was much alarmed.

"The accounts from the Netherlands are alarming as you will see by the Newspapers which I send you by this opportunity. A Revolutionary flame appears to be spreading over the continent, and there is imminent danger of a general war which will bring on extraordinary commercial distress, and I therefore feel very uneasy. If things had remained quiet I believe the cotton market would have gone on well and probably have risen, but the continual agitations in the country for the last five or six months, and the late Revolutions, so destroyed confidence and so deranged the Laboring class of manufacturers from their work that the consumption has been much restrained and consequently sales greatly diminished."

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A Price Current from Rotterdam contained the statement: "The insurrection in Belgium being now (October 2) almost universal, our troops have been ordered back to be stationed in our fortresses till the question is decided by our Chambers of deputies, whether that part of the Netherlands will be separated from us; the proposal has already been adopted by the second Chamber. Antwerp remains pretty tranquil and it is to be hoped our ships of war which are lying before that place, will, as well as a strong Garrison, cooperate to protect the property of the respectable inhabitants against the mob."

By October 10th, 1830:

"The Belgians have succeeded in driving out of their country the Troops and authorities of the King of the Netherlands, have established a provisional Government, and declared themselves Independent, and altho' the King has made great concessions besides granting a separate Government to Belgium it is feared that he has done it too late, and that they will insist upon their Independence which may lead to the Intervention of foreign Powers and cause a general war. There is still great apprehensions of a Revolution in Spain and Italy and France is not yet secure from Internal disturbances. It is an indisputable fact that the 'Garde National,' an armed force, now governs France as its Charter or Constitution has been put under protection of this armed force, and if General Lafayette, who is its Chief, had been so disposed he could have had himself made President of the French Republic, or anything else to the exclusion of the Duke of Orleans." Failures were occurring, the public funds falling, the Government was growing less popular, a change in the Ministry seemed near, and the trial of ex-Ministers caused much excitement among the people.

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“Great quantities of goods are continually sent this way from Antwerp,” said the Amsterdam House, “where trade is greatly encumbered by a strong military and naval force which prevents the rebellious spirit from catching there.

“The Belgian insurrection gains still in extent, but the Inhabitants are in deplorable situation, and at Antwerp business are totally stagnated. It is probable the Southern Provinces will be separated from the Northern about which report says a Congress is to be held at the Hague by the principal European Powers. Here all is quiet.”

A Rotterdam Price Current of November 1st reported:

“The Commander of the citidel, General Chasse, after having given due notice to the inhabitants of Antwerp that he would bombard the city, if they should admit the rebels who besieged the town, has been obliged to take the step and he Bombarded Antwerp together with our ships of war for some hours; we have no positive accounts as yet but it is reported the City suffered very much. The people in Antwerp instead of assisting our troops, commenced even to fight against them, while they prevented the rebels valiently to approach towards the gates, they began even to massacre them as their friends did so treacherously in Brussels, so that our troops were forced to go into the Citidel or leave the place.

“An armistice has been closed for a few days, it is to be hoped we shall soon see the end of the infamous civil war, and that the accounts about Antwerp will prove to be exaggerated.”

What was done was described by Mr. Bickham.

“Civil war continues to rage with great fury in the Netherlands and the Belgians have taken Antwerp from the Hollanders in effecting which a considerable part of

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the city was Burnt with the great and valuable Entrepot of goods which it contained and the loss is immense; who will be sufferers by it is unknown but no doubt it will be felt in many quarters. The Spanish Refugees are making some progress on the Frontiers of Spain and that country is in a very agitated state.

“There has been no favorable change in Europe, on the contrary affairs both commercial and political assume a worse appearance, and the French Government now considers war so imminent that they have ordered an army to march to the northern Frontiers as the Russians, Prussians and Austrians are marching forces towards Belgium, and it is reported that a communication will be made by the Minister of War to the Chamber of Deputies for a credit to negotiate a Loan of 150 millions for the War Department. Everything therefore still remains in a very dull and Precarious state and Business and the market of course very dull.”

To these letters Girard was unable to reply for several months. About the time they began to arrive he was knocked down, run over, and seriously injured.

“We learned with great regret,” said the *United States Gazette* of December 22d, 1830, “that our estimable and aged fellow citizen, Stephen Girard, Esq. met with a serious accident yesterday afternoon. In passing near the corner of Second and Market streets, he was accidentally knocked down by a loaded wagon, the wheel of which came in contact with his head, lacerating one of his ears, and causing some other injury. The flow of blood at the time, led to an apprehension of more serious wounds than (we are happy to state) appeared, on examination of the wound, to have been sustained.”

An afternoon newspaper of the 22d corrected this statement and said:

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“In passing near the corner of Second and Market streets he was knocked down by a country dearborn (not a loaded wagon as stated in one of the morning papers). The wheel of the carriage lacerated his ear and cut his cheek.

“The flow of blood was considerable; but Mr. Girard was quite able to help himself, retained his self possession perfectly, and seemed more pained by the attentions of those whom the accident had attracted to the spot, than by the wound he had received, though the wound was far from being trifling.”

Girard gave his account some months later to Mr. Colhoun:

“On the 21 December last, in crossing the markets in Second Street, in going to my bank at about 4½ o'clock in the afternoon when the horses of a wagon going on a full trot threw me down and the wheel went over my head which fortunately did not break any of the bones, but tore a great deal of the flesh, which has compelled me to keep my bed and chamber for upwards of two months.”

During the next six weeks no letters appear in the letter book. Not until February 26, 1831, was he able to write Mr. Bickham:

“I have received your esteemed letter of the 19.31 December, 9 and 18 January, but owing to an extraordinary accident which I received on 21 December last by the horses of a wagon running against me, throwing me down, and one of the wheels going over my head, I have been compelled to keep my room until the 21 instant when I have gradually come into my counting room, where I have done no writing until the present day.”

Despite conditions abroad, Girard in the course of the autumn speculated heavily in cotton and tobacco.

Such adventures were no longer undertaken with the keen interest he felt in his younger days when they were

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the basis of his fortune. Loading and dispatching his brigs had long since become a confirmed habit. He could not part with his vessels but the results of his ventures were now largely matters of indifference. That they should be so conducted as to pay a net profit of at least five per cent was merely following his rule that everything in which he invested must be made to pay. If a voyage were not profitable, that was unfortunate and he hoped for better results next time.

The accumulation of money interested him but little. He had entered on his eighty-second year. His will was made and his great wealth dedicated to the good of posterity. He was under no incentive to labor for its increase. Yet in his bank, in his counting house, on his farm, he continued to toil as of old from the sheer love of work.

How he should dispose of his great wealth had often been the subject of advice by strangers.

"No person," said one, "in this Union is so generally known as yourself, and yet perhaps really so little known. Your immense wealth is matter of admiration to all, and all take the liberty of speculating within themselves, as to the objects on which you will bestow those treasures providence has in its unerring wisdom made you steward of. The laws of the United States have guarded against entailments and perpetuities, and this presents some obstacle to the handing down one's name to the latest ages of posterity, through the medium of our benefactions." He then suggested several ways in which to secure undying remembrance. The Louisville and Portland Canal needed \$100,000 to finish its work and was about to apply to Congress to buy stock to that amount. Let Girard buy it and his name and charity would go down "to the latest ages of time"; "as long as water runs or navigation is pursued on the Ohio."

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"The liberation of slaves, and the settling them again in the country of their origin" was "an object of high consideration." "Infant schools and Sabbath schools," the "education of young men to the gospel ministry," the "sending forth missionaries to the Heathen" were each suggested, and finally the care of seamen.

"Now, much of your wealth has been derived from the services of seamen; make returns by building and dedicating a church for their use, by opening an Hospital for their reception when their labor has been cut off. You know their improvidence; they want a guardian, a benefactor."

"Having seen a paragraph in one of our (New York) newspapers, stating that you had built a Block of Brick Buildings in Philadelphia, which it was your intention to lease to families at an annual rent equal to 10 p. ct. of the cost, and that at the expiration of ten years, provided the tenant has occupied and punctually paid his Rent for the premises, I have taken the liberty to address you on the subject, and shall be happy to find you willing to make a similar arrangement in New York" and build the writer a \$1500 or \$2000 house in that city.

"The transmission of your name to posterity as a benefactor of the city in which you have so long resided, I am conscious, cannot be a subject of indifference to you," said another. "The names of Washington, Penn, Franklin and Rittenhouse will always be respected in connection with those beautiful parks which adorn our city. You have it in your power Sir, to add another.

"I have thought Sir, that a still more noble devotion of your Square between 11th and 12th streets would be to bestow it on the Interests of Science. It would afford an excellent site for the erections of buildings for the Philosophical Society, for the Museum, and for the Academy of Fine Arts, and of Natural Science of which the rapidly

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increasing contributions may at no distant period render them rivals of the Louvre of your native country."

The block in question had already been set apart in the will as the site for his college for orphan boys. In the spring of 1831, however, a fine estate of forty five acres, abutting on the Ridge Road and known as Peel Hall, was offered to him for \$35,000. He bought it, and by a codicil to his will made it the site of the college. The square bounded by Eleventh and Twelfth, Market and Chestnut Streets, Girard now decided to cover with dwellings and stores, ordered the trees cut down, contracted for bricks to be made with the clay on the premises, planned the houses, consulted with his builder as to the cost, and ordered the construction of the dwellings on the Chestnut Street front to begin at once.

Besides the Peel Hall estate Girard bought during 1830 and 1831 twenty pieces of property costing \$138,599, leased from the Seventh Day Baptists, for nine hundred and ninety-nine years, lots on the east side of Fifth Street with a frontage on Chestnut Street, where the Lafayette Building now stands, and acquired his coal lands in Schuylkill County.

One day in March, 1830, his assistant cashier brought him a bundle of deeds just deposited in his Bank by Mr. Pratt, a trustee of the old Bank of the United States. No sooner had he looked them over than he wrote Mr. Alter of Pottsville:

"At about four o'clock this afternoon Mr. Carpenter, assistant cashier of my bank, handed me a bundle containing several deeds written on parchment which embraced the lands expressed in the mortgage given to the old Bank U. S. by Messrs. Morris and Nicholson, all of which appear to be duly recorded as per annexed statement, which please to examine and compare with the book

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or books of record, and if you find that everything is in conformity and is sufficiently secured by the quantity and quality of the land, please to communicate me immediately all the information and observations which you have made, adding your remarks respecting the number of acres of coal land and your opinion respecting the highest price at which I can venture to purchase.

“The aforesaid deeds have been kept in the dark and at last have been delivered to Mr. Pratt one of the trustees of the old Bank U. S. who has sent them to my bank where they shall remain until the sale of that property is over, which I have reason to believe will be in about 25 days from this date.

“You will perceive among the documents the sheriffs deed to the county of Northumberland for the aforesaid land dated 13th day of January 1801 to the President, Directors and Company of the Bank United States. I presume that sale was made in view to prevent any other creditors of Morris & Nicholson to commence an action against any part of the land and in that way to increase the expense, create confusion and give additional trouble to the real owners of that property.”

The lands in question were duly offered for sale by the Trustees of the old Bank, and Mr. William J. Duane was sent to obtain information “respecting the validity of the title of the old Bank of the United States, principally also the lawful liens which may be on said lands or a part thereof, the number of settlers and their names, and the quantity of acres which each of them possesses, the epoch when they settled thereon, the nature of their title adding the quantity and quality of coal lands and of wood land unsettled. In short be so obliging as to take correct notes of all your remarks so that I may not be at a loss to fix the price which I should give for that

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property. In regard to yourself I recommend you to take good care of your health, and when you go to visit the lands to take a suitable carriage with competent and honest judges who are well acquainted with that part of the country and can give every correct information which you require. I wish it to be understood that I think it is correct to pay for the services of all the persons which will go with you."

Thus instructed, Mr. Duane went first to Harrisburg and found many others bent on the same mission.

"The number and extent of inquiries making here about Morris and Nicholson's lands is astonishing. There are several persons here, evidently on the same errand with myself." Before going to Schuylkill County he wished Mr. Alter, then in Philadelphia, to join him. "I do this because he would really be useful *there*: as to what is to be done *here*, and at Northumberland I can effect all that myself; but, in the wild mountains of Schuylkill county, Mr. A. would be of serious use, especially as he speaks the only language almost that is spoken or known there, the German."

After finishing his searches at Harrisburg, Duane went to Sunbury and then to Pottsville, where Mr. Alter joined him. The searches seem to have been satisfactory, and seventy-three tracts of land were purchased for \$30,100. Sixty-eight had once belonged to Mr. Nicholson and five to Robert Morris.

The work of surveying now began. This too was put in charge of Duane, and while it was under way Girard received a warning letter from Edward Livingston.

"Having understood that you have become the purchaser under the title of the Old U. S. Bank of sixty-eight tracts of land mortgaged to the Bank by John Nicholson, I think proper to inform you that I hold a complete title

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to the same lands, by two titles, 1st a deed made to the Penna. Land Company bearing date the same day with the mortgage to the Bank. 2^d under a purchase at a marshal's sale on the 15 May 1827. Both of these deeds recorded in the County of Schuylkill where the lands lie. The land being supposed (as it is believed) to lie in the County of Northumberland, the mortgage of the Bank was, it is said, recorded there. But as they are found to be in the County of Schuylkill and my titles were all regularly recorded there before yours, I presume no doubt can exist as to the validity of my title. Desirous however of avoiding expense and delay I propose that measures be taken, by an amicable suit, to determine the question of title unless you should be inclined by a compromise to put an immediate end to the claim."

Girard made no answer, nor did he notice a second letter from Mr. Livingston, and suit was begun. The survey meantime was continued.

"The greatest difficulty felt," wrote Mr. Duane from Pottsville, "is as to obtaining provisions for so many persons, in a wilderness and where there are few, or no, farmers or stores. At Orwigsburg I met with Mr. Valentine Brobst who has, under the state, title to 27 of your 68 tracts; he invited conversation himself and on my part I fully adhered to your instructions; he said he was desirous to know what you intended; that he did not wish to have law suits, &c. I have this morning met another person who has a claim to two tracts, and he spoke in the same way, appearing well satisfied with my observations." From the "Foot of Broad Mountain," at "the south eastern side of Mahanoy Mountain," he wrote of the great difficulty of finding old lines or corners, which had in many cases been removed by interested men or by fire. "The nature of the country, too, renders the

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labor very great and the progress slow—the ground being covered to the height of about 18 feet, on an average, with dense underwood, so that the axe is constantly in requisition in making, as it were, lanes and streets.”

“Those who will give trouble are *speculators* residing in Pottsville and the neighborhood, who have taken advantage of the alarm created amongst the uninformed Germans, by your purchase, to buy up their rights.” The “number of persons engaged in surveying is so considerable, and their appetites from labor and keen air so good, that the provisions sent up vanish very fast; in my opinion if you could send from your farm two or three barrels of potatoes, a barrel or two of beets and turnips, radishes, a keg of white beans, great good would be done.” Beef, pilot bread, potatoes and cabbages were accordingly sent.

One of the surveyors thus describes the difficulties he met with in his work:

“I have run lines where no human being ever trod, over mountains as steep, nay, steeper in many instances than the roof of any house, and from 60 to 150 perches ascent or descent, embodied in which must be immense quantities of coal. At one place in the vicinity of our first encampment, by one of the branches of the Mahanoy Creek, Mr. Alter had a vein opened to ascertain the quality, as well as its extent. The coal turns out to be of an excellent quality, the vein uncommonly extensive running directly into a high mountain apparently inexhaustible.”

Part of the duty of Mr. Alter was to talk with those who had conflicting claims and visit the settlers on the lands. I have, wrote Girard, received your letters, “informing me of your intention to proceed to examine the lands on the Mahanoy and Cattawissa, the two last informing me of your arrival in Catwissa Valley, where you say you have been disappointed in conversing with

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the settlers of parts of the seven tracts, mentioned in your last. Although that circumstance is very unpleasant, yet I recommend you to cultivate friendship and good understanding with these settlers assuring them that you will use every means in your power to effect such arrangements as will be likely to meet the wishes of all parties. I approve of your design to go through all the tracts, where there is any settlers or to which claims may be made, recommending you to take accurate notes of all facts to be stated to me regularly."

In letters that cannot be found, Mr. Alter, as the result of his visit to the lands, seems to have suggested improvements to which Girard partly assents.

"In regard to the improvements which you propose to make by erecting seven log houses and four saw mills with three dams and opening roads, which will cost \$9500, they exceed my expectation and intentions. Under present circumstances I do not wish any more to be erected than the aforesaid seven buildings which you mention, with one saw mill situated on such part of the water power the nearest to the center of the buildings and the tracts on which the log houses are intended to be built. As it respects the roads which you mention I do not wish any to be made under any pretext whatever except for transporting from the aforesaid saw mill the timber requisite for the log houses on the several tracts before mentioned. This is my intention and no other plan will be approved or adopted by me until future circumstances induce me to act otherwise."

During the winter, work on the cabins and saw mill was accordingly begun, and in May, 1831, when Mr. Duane made his second visit, taking with him the deeds to be recorded, he reported from Sunbury:

"I saw Mr. Alter at Pottsville; he explained to me the

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course that he was pursuing, namely, urging on the completion of the saw mill and cabins and collecting the tents and other articles used during the survey. He could not say what time the saw mill and cabins will be completed, but assured me that every exertion should be made and I make no doubt that such will be the case.

“At Pottsville and at this place, I have satisfactorily arranged as to conflicting claims, on six tracts, so far at least as to make the future certain. I beg leave to mention, for your reflection, until I shall have the pleasure of seeing you, that there are four tracts, a claim to which was purchased by the Little Schuylkill Railroad Company, that is by Dr. Hiester, Mr. Biddle, and others; they are content to convey all their rights for the sum they paid, three dollars per acre with interest.

“As I expected there is much contention and no little intrigue, at this place, respecting the route of the railroad; every one wishes to have it as close as possible to his premises. To ascertain the truth the managers should come to this place themselves and not trust altogether to engineers; the best of them are sometimes biassed.

“Property and rents have risen at least 20 per cent, at this place, since the stock in the railroad was filled.”

The railroad was the Danville and Pottsville Railroad, to which in May, 1831, Girard subscribed \$100,000, buying 4,000 shares at \$50 each. This subscription of his was quickly followed by those of others until the full amount of the stock issue was taken.

Girard was thereupon elected a Director and Dr. John Y. Clark, the husband of his niece Henriette, formerly Madame Lallemand, was made chairman of the Board. By its order Mr. Moncure Robinson was engaged as engineer, and Girard undertook to purchase, in England, the iron for the rails. Specifications drawn by Mr. Robin-

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son required "the rails to be rolled two inches wide and $\frac{1}{2}$ an inch thick," to "be cut at the ends at an angle of 45° ," to "be 18 feet long from heel to point or 18 feet and 2 inches long from point to point." Each rail was "to be punched or drilled with countersunk holes," of which there were to be eighteen distributed "at equal distances in the length of the rail."

A railroad track in those days consisted of two lines of stone posts set in the earth vertically, at proper distances apart. To the top of these posts were bolted wooden stringers forming the track along which the flanged wheels of the cars were to roll. To protect the wood from wear by the wheels, such ribbons, or straps, or rails, as Mr. Robinson described, were spiked on the upper surface of the stringers.

Steam as a motive power had not then come into general use on the few railroads so far built. Sails and horse power were still being tested, and in the hope of inducing the Danville and Pottsville Railroad to use animal power, Richard Ward, of New York, forwarded to Girard a circular describing his carriage.

"Taking for data the fact that one horse has drawn 200 barrels of flour laden on several carriages, weighing at least rising 30 tons, 7 miles an hour, on the Baltimore Rail Road, I can with great confidence recommend my Locomotion Carriage for one or two horses, oxen, or other animals, treading between the wheels upon an inclined plane endless strop, where the weight of the animal is combined with his strength, and treading at the rate of from two to four miles per hour, will propel the carriage with from 30 to 40 passengers from 20 to 30 miles per hour, or any desired speed. One person only will be required to attend this carriage, which he can control and stop at pleasure, and it is believed will be found

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vastly more economical than conveying the same number of passengers by *steam*,—in the *cost* of the carriage, engine and extra carriage compared with the cost of horses—attendance, the *weight* of the engine on the Rails. The whole weight of my carriage horses and 30 passengers will be about 4 tons, that being the weight of the steam carriage without the other carriages and passengers. The axle-trees of my carriage passes through the wheels, and on which are placed the most convenient seats for 2 or 4 persons in the same compartment, and all round the carriage; the flooring of these seats, only a few inches above the axle-trees, or they may be below the axle-trees, the propelling power will not be seen by the passengers, and thus they will form a beautiful vehicle. The whole weight is on friction rollers. There is affixed an efficient apparatus for stopping this carriage instantly, and also for cleansing the rails of *snow* and from dust, and small pebbles up to 6 pounds weight, in summer—this will give great security to a regular motion on the rails and safety to the passengers.”

Mr. Daniel Montgomery of Danville, a director of the Railway, to whom Duane applied for the name of a man to superintend the land on the Mahanoy, engaged Mr. Willaim Boyd, and reported:

“I have agreed with Mr. Robinson that he shall locate that part of the road through your land first, so that we may be able to fix a site for a town, and for grist and saw mills. I should suppose it necessary as soon as that was done, the site of the town fixed, that a good public house, store and dwelling house, should be immediately commenced with the mills. Under these impressions I intend to go down to your lands in about ten days with Mr. Boyd and I shall take a good mill wright with me to make examinations.”

In September Mr. Duane went again to the lands to

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settle with the claimants, and reported from Orwigburg:

“I reached this place on Friday night; and yesterday morning the claimants in the Catawissa valley came in, with their wives, as formally as Indians proceeding to make a treaty; on examining their title papers I found so much left undone (I) had to proceed to work immediately, in preparing eleven deeds and assignments, this occupied me until 11 o'clock last night, and it was nearly 12 o'clock ere the payment and counting of the money ended: the wives of four of the settlers declined to sign the deeds until they received what the Germans call a *drenkeld*, a present; this is according to universal usage in this part of the State; and as I got a further reduction of \$600 in the price of the land, besides nearly \$2000 obtained when here last week, below the price fixed with Mr. Alter, I concluded that you would approve of my presenting, as I did, a ten dollars note to each; they seemed very thankful, for as they do not speak one word of English, I could only collect their sentiments from their looks. These mountain wives labor, often as much as, and in general more steadily than their husbands, their character is therefore very decided, they talk much and loudly, and I thought it would not be prudent to disoblige such persons, especially as what they say must have an influence, good or bad, in the neighborhood of your settlement and lands. They all set off on foot early this morning for their homes, about twenty miles from this place. A new company are to come in tomorrow morning, but in this case there will be no wives.”

Mr. Boyd was of the opinion that he should buy a landing or two on the canal near the railroad for the purpose of piling the lumber and receiving other produce from his lands on the Mahanoy. “Not doubting that your remarks are perfectly correct, I recommend you to purchase on my account, two or more landing places

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adjoining each other. * * I have under contemplation to have three Boats built this winter to go from my Schuylkill landings to Pottsville to bring down the lumber & other produce of my lands. Please to give me your opinion on that subject and to add what should be the Tonnage of the Boats and their draft of water when loaded."

December 20th he wrote again to Mr. Boyd concerning the railroad. The day following he was taken ill and died of pneumonia, at a quarter past four on the afternoon of the 26th.

Letters were at once sent off to his correspondents and agents in the South bidding them stop purchasing on his account. To Zacharie & Co. of New Orleans, Mr. Barclay wrote:

"Under the most painful feelings of distress I inform you of the decease of our respected friend Mr. Girard. He expired at a $\frac{1}{4}$ past 4 o'clock this afternoon, and I suggest to you the propriety of suspending all purchases on his account and to retain in your possession the \$25,000 in post notes of S. G's Bank, delivered to your Mr. Edward George when in this city, until further orders from those duly qualified."

To Mr. Moses Myers of Norfolk, whose business relations with Girard dated back to 1791, Mr. Barclay wrote:

"It is with feelings of the deepest grief that I inform you that your old and attached friend departed this life at $\frac{1}{4}$ past 4 o'clock this afternoon. You will therefore please to suspend all purchases on his account, and you will hereafter be informed of the disposition that is to be made of that which you have already purchased and hold subject to his orders."

Letters of a like kind were also sent Messrs. Fowle & Co. of Alexandria, Mr. Stoney of Charleston, and his agent, Mr. Blaikie, then buying cotton in Savannah.

CHAPTER XVI

THE ESTATE

AT the time of his death, Girard had well passed his eighty-first year. For more than fifty-five, he had been a resident of Philadelphia; yet such was the secluded life he led, so careful had he been to keep his affairs, both private and business, to himself, that nothing concerning his life was known. The sketches of his career, therefore, which appeared in the newspapers of the city after his death, were wanting in detail and of no value. Said one:

“Mr. Girard commenced with small beginnings. At first a cabin boy, then a mate of a ship, then keeper of a small tap shop, where he retailed drams and segars, he successively rose to the rank of the first merchant and the most opulent banker in this country. Industry and frugality was his motto.

“The habits of Mr. Girard were exclusively those of a man of business. He had no pleasures but in the performance of active duties. Always to be found in his compting house, or bustling on his farm, for he was fond of agriculture, feeding his own cattle, curing his own beef, and even bestowing his attention on the cultivation of a vegetable garden the produce of which he caused to be taken to market.

“But in his hands, for his was the touch of Midas, everything was turned into gold; and fruits, flowers, vegetables, ships, houses, lots, bank and all, contributed in the end to pour millions into his lap.

“But he took most pleasure in adding house to house, lot to lot, until he could count his squares of buildings, and found it impossible to count the number of his deeds, parchments and warrants.”

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"But to those," said another, "who knew him in distant towns and cities as a rich banker, and only by report, his benevolent exertions in the cause of suffering humanity, his uniform probity and uprightness are not perhaps so familiar. Here, however, where the field of his benevolent labors is spread open to all observers, his character for real improvement and judicious philanthropy can be well attested."

On the day after his death, the will was opened in order that any directions, or wishes, regarding his funeral might be duly respected. None were found, but it then became known that large bequests had been made to the City and many charitable and benevolent institutions, and it was decided to formally invite them to be represented at the funeral. An invitation was accordingly extended through the newspapers to the Board of Wardens of the Port, a body of which Girard had for many years been a member, and such charitable societies as he had from time to time assisted.

"The funeral of the late Stephen Girard will proceed from his late residence in North Water Street, to the burial ground of the Holy Trinity Church N. W. corner of Spruce and Sixth Streets, at 10 o'clock on Friday forenoon, December 30th.

"The Trustees of the Bank of Stephen Girard are requested to meet and proceed together as mourners, next after the relatives of the deceased.

"An invitation is respectfully given to public bodies, institutions, and societies hereinafter named, to proceed to the funeral in the following order:

"The Mayor, Recorder, Aldermen, and the Select and Common Councils, with their officers.

"The wardens of the Port of Philadelphia.

"The officers and members of the Grand Lodge of Pennsylvania, and of the subordinate Lodges.

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“The officers and members of the Society for the Relief of Distressed Masters of Ships and their Widows.

“The officers and Contributors to the Pennsylvania Hospital.

“The Controllers, and Directors, and officers of the Public Schools.

“The officers and members of the Pennsylvania Institution for the Deaf and Dumb.

“The officers and members of the Orphan Society.

“The officers and members of the Société de Bienfaisance Française.

“The officers and members of the Fuel Saving Society.

“Other benevolent societies are respectfully invited and requested to proceed next after the Fuel Saving Society.

“In a community in which Mr. Girard was as universally known as he was useful, it is not practicable to give special invitations to individuals, nor is it supposed that invitations will be expected. All those who knew Mr. Girard personally or by reputation, and who revere his example and memory, are respectfully invited to attend his funeral.

“It is customary to protract the time fixed for funerals for one hour beyond that designated. In the present instance the procession will positively move at 11 o'clock.

“The procession will move up Water Street to Arch, up Arch to Sixth, down Sixth Street to the place of interment, at the Corner of Spruce and Sixth Streets.”

Some one who knew the provisions of the will inserted this request in the newspapers:

“The late Stephen Girard, Esq., having by his will left very handsome bequests to the City of Philadelphia, as well as during his lifetime very extensively contributed to its beauty and improvement, it is respectfully sug-

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gested to all citizens who are not conscientiously scrupulous to close their windows *at least* from the hours of ten to twelve o'clock as a testimony of gratitude and respect to the memory of their liberal benefactor."

"The funeral of Mr. Stephen Girard took place yesterday morning at the hour indicated in the programme published in the papers," says the *United States Gazette*. "The hearse was preceded by the police of the City, and the whole of the city watch walked beside the mourning-carriages, with broad blue ribbons on their breasts marked 'City Watch.' Next to the mourners on foot were the Mayor, and Recorder of the City, with broad mode hat-weepers and scarfs. The Aldermen and City Councils succeeded, and then a Society of which the deceased was a member. This was succeeded by the officers of the Grand Lodge of Masons of Pennsylvania and the officers and members of the subordinate lodges. The officers wore their collars and jewels, but not their aprons."

"The procession," another journal said, "was of immense extent and most respectable appearance." The streets through which it passed "were thronged and the conduct of those assembled was that of persons desirous not of gratifying curiosity, but of paying a last tribute of respect to a great public benefactor." The body was placed in the vault built by Girard for the remains of Baron Henry Lallemand.

Public attention now turned to the will. Some of the legacies and bequests had been announced, but not till the second of January, 1832, was it published in full in the *United States Gazette*. An announcement was then made that a biography of Stephen Girard by Stephen Simpson would very shortly be published by Thomas L. Bonsal, and that to this would be added a copy of the will.

Stephen Simpson was the son of George Simpson, for

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many years cashier of the first Bank of the United States. On the expiration of the Charter of that Bank, he became cashier of Stephen Girard's Bank and served as such to his death in 1822. The son, Stephen, was long a clerk in Girard's Bank, and had been trained by his father in the hope that some day he too might become cashier. That day never came, and Girard was not forgiven by the son.

As a clerk Stephen Simpson knew nothing of the life history of his employer. Now that he had seized the opportunity to write his life, it became necessary to gather information and a call was at once made on the family, and on others, for the facts.

"The moment the work was undertaken," he states in the Preface to the biography, "at the request of the publisher, application by letter was immediately made to the relatives of the deceased, soliciting such information touching the life and history of their late kinsman as they might think proper to impart. To this request no formal answer was received, except from Dr. J. Y. Clark, who politely waited on the author to explain the reason which induced the silence of the parties, which was, that Mrs. Haslam was in possession of a diary kept by her late uncle; and that being left but a very *small* and inadequate legacy, she contemplated, with a laudable spirit of enterprise, composing his biography herself." This diary "embraced only four years a period too inconsiderable to be of use to the author."

A like call was made on Mr. John A. Barclay, an executor, and at the time Girard died, his chief clerk and man of business.

"Having contracted to write the life of the late Stephen Girard, Esq. and knowing from your *intimacy* with him & his business, that you possess much information that will tend to elucidate his life, & character, you

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will oblige me, as well as contribute to the reputation of Mr. Girard, by imparting such details, anecdotes, events, &c., as you may think will correspond with his relation towards the public, or prove a useful lesson to the world.

"*Everything* relating to him will be *interesting* & every act of his life will be justly recorded.

"1. How many ships?

"2. How many Houses? &c.

"3. How many *Agents* or Bankers in Europe?

"4. What sums at the time of his death were due him by his Paris, London and other Bankers?

"5. His Manners, habits, &c. &c. Whatever may occur to you. Nothing can be *too minute*."

A subsequent letter added three more questions:

"The first year in which Mr. Girard became a ship Owner? Was it a brig, schooner, or ship?

"The date of his Voyage to New Orleans as part Owner? Ship, sloop, or Brig?

"The date of his Voyage to St. Domingo? Ship or Sloop?"

By provisions in the will legacies, amounting in all to \$563,500 were bequeathed to the commonwealth, to the city, to charitable and benevolent institutions and societies, to relatives, to his ship captains, and to dependents long in service.

The rent of the little house in Rue Ramonet was left to his brother Etienne and his niece, Constance Fénélon, share and share alike, and after the death of the brother, to the niece and six of the children of Etienne. To the city of New Orleans was bequeathed one thousand acres of his lands in Louisiana, with the settlement thereon and some thirty slaves. During twenty years his friend, Judge Bry, was to use the land, settlements and negroes as if they were his own, and have all the income arising from

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such use. At the end of that period, or sooner, if Judge Bry died before the lapse of twenty years, the property was to revert to the city of New Orleans to be sold and the proceeds used "to promote the health and general prosperity of the inhabitants." Two-thirds of the remainder of the land, mostly unimproved, was devised to the city of Philadelphia, and one-third to New Orleans, but the land was not to be sold for ten years. In the end the title was proved defective and nothing came of the gift.

On the real estate in Pennsylvania was charged nine annuities in sums ranging from three hundred to a thousand dollars. The latter was to be paid to Mrs. Ingersoll, the widow of Jared Ingersoll. The great bequest was that of the remainder of all his estate, real and personal, "where-soever situate," to the Mayor, Aldermen and Citizens of Philadelphia for the education of such a number of "poor male white orphan children as can be trained in one institution," and for the improvements of the Delaware front of the city. No part of the real estate in Pennsylvania should "ever be sold or alienated," but maintained, improved and new buildings erected and the rents used as in the will provided. His lands in Kentucky might be sold and the proceeds made part of the residuary estate.

The site of the college was the square bounded by Eleventh, Twelfth, Market and Chestnut streets; but after the purchase of Peel Hall, a codicil changed the location to that estate.

So much of \$2,000,000 as might be necessary was to be used for the erection of a "permanent College, with suitable out-buildings, sufficiently spacious for the residence and accommodation of at least three hundred scholars, and the requisite teachers and other persons necessary in such an institution," and for furniture, books,

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apparatus, and equipment. Around the square was to be a wall ten feet high and through it two entrances. Within the wall were to be the buildings, which are described in the will with all the minute detail of an architect's specifications. Nothing was said concerning the style of architecture save that "needless ornament" was to be avoided, and attention given chiefly "to the strength, convenience and neatness of the whole."

The scholars were to be poor white male orphans, who were to be admitted in the order of application. "But, if there shall be at any time more applicants than vacancies, and the applying orphans shall be born in different places, a preference shall be given first, to orphans born in the City of Philadelphia; secondly, to those born in the City of New York (that being the first port on the Continent of North America, at which I arrived); and lastly, to those born in the City of New Orleans, being the first port on the said continent at which I first traded, in the first instance as first officer, and subsequently as master and part owner of a vessel and cargo."

The orphans were to be "fed with plain but wholesome food, clothed with plain but decent apparel (no distinctive dress ever to be worn) and lodged in a plain but safe manner." After naming "the various branches of a sound education" in which they were to be instructed, he said: "I do not forbid, but I do not recommend, the Greek and Latin Languages. I would have them taught facts and things, rather than words or signs; and, especially, I desire that by every proper means a pure attachment to our republican institutions, and to the sacred rights of conscience, as guaranteed by our happy constitutions, shall be formed and fostered in the minds of the scholars."

By another provision he enjoined and required "that no ecclesiastic, missionary, or minister of any sect what-

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soever, shall ever hold or exercise any station or duty whatever in the said College; nor shall any such person ever be admitted for any purpose, or as a visitor, within the premises appropriated to the purposes of the said College: In making this restriction I do not mean to cast any reflection upon any sect or person whatever; but, as there is such a multitude of sects, and such diversity of opinion amongst them, I desire to keep the tender minds of the orphans, who are to derive advantage from this bequest, free from the excitements, which clashing doctrines and sectarian controversy are apt to produce; my desire is, that all the instructors and teachers in the College shall take pains to instil into the minds of the scholars the purest principles of morality, so that, on their entrance into active life, they may, from inclination and habit, evince benevolence towards their fellow creatures, and a love of truth, sobriety and industry, adopting at the same time such religious tenets as their matured reason may enable them to prefer."

The scholars might be admitted "between the ages of six and ten years," and might remain until "between fourteen and eighteen years of age." Then they were to be "bound out by the Mayor, Aldermen and Citizens of Philadelphia" to "suitable occupations," consulting, "as far as prudence shall justify it, the inclinations of the several scholars, as to the occupation, art, or trade to be learned."

Five hundred thousand dollars from the residuary personal estate was set apart as a trust fund for the improvement of the City. Some of the income was to be used "to lay out, regulate, curb, light, and pave a passage or street, "fronting on the Delaware River, to be called Delaware Avenue and extending from South or Cedar Street all along the east part of Water Street squares,

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and the west side of the logs, which form the heads of the docks, or thereabouts."

Some was to be used to "pull down and remove all wooden buildings (as well as those made of combustible materials, as those called brick paved, or frame buildings filled in with bricks) that are erected within the limits of the City of Philadelphia, and also to prohibit the erection of any such buildings within the said City's limits at any future time."

Some was to be used "to regulate, widen, pave, and curb Water Street, and to distribute the Schuylkill water thereon upon the following plan," which is described at great length and with infinite detail.

To the Commonwealth of Pennsylvania was bequeathed \$300,000 "for the purpose of internal improvement by canal navigation," provided that within one year laws were enacted to enable the City of Philadelphia to carry out the improvement of Delaware Avenue, Water Street, and the removal of wooden buildings.

The will was probably drawn in 1826. Under date of March 18th, Mr. Horace Binney wrote:

"I have made one fair copy of your will, and I fear it is all that my leisure will enable me to do for some time to come. If you think proper, as a precautionary measure to execute it, I will see you on the subject whenever you will do me the honour to appoint a time."

Three years later, January 20, 1829, Mr. Binney wrote:

"I sometime since expressed a wish to see your Will, that I might revise it, and particularly the residuary disposition contained in it. My object was to have the benefit of examining the provisions, after I had forgotten most of them, and when of course I should more entirely perceive the force of the language used in it, by which alone it must hereafter be interpreted. I of course mean

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this review to be without any charge to you. If you have no objection to this reexamination, and will fix a time, it will give me pleasure to wait upon you."

"I received and attentively perused your note of the 20th inst.," was the reply, "which refers to a revision of my will, which I judge very necessary, particularly as I have some change in view, but owing to the approaching trial which Mr. Geo. A. Seckel has commenced against me, I will suspend your friendly and polite proposal, until that last unpleasant business is finally closed."

The will as presented for probate was "signed, sealed, published and declared" on February 16, 1830, just as Girard was recovering from his accident. A codicil, December 25, 1830, provided that certain real estate he had acquired and certain houses he had built, since executing the will, should "pass by the said Will." A second codicil, June 20, 1831, changed the site of the College from the Market-Chestnut Streets square to the Peel Hall estate.

On the death of Girard the deed of trust went at once into effect, and on the morning of Tuesday, the 27th of December, the nine trustees then living met at the Bank, organized, took possession, elected Mr. William J. Duane to fill the vacancy caused by the death of Robert Lenox, appointed Mr. Horace Binney counsel for the Board, and received from the cashier a statement of the affairs of the Bank as they were on the evening of Saturday, the 24th. It then appeared that bank notes in circulation, money on deposit and debts to other Banks, for all of which the Bank was liable on demand, amounted to \$709,844, to pay which there was but \$17,530 in specie.

Not knowing how rapidly the deposits might be withdrawn and the notes of the Bank turned in for redemption, an arrangement was made with the Bank of the

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United States for a loan of \$100,000, which most happily was never used.

An inventory of all the property of the Bank amounted to \$4,847,820.29. Of this great sum \$3,299,799.76 was in bills discounted; \$1,027,507.35 in stocks of various corporations, more than half of it in that of the Bank of the United States, and the rest was bills and notes due and unpaid; the value of the Banking House, its furniture, and cashier's house, and the lands on the Mahanoy and in Erie, which he carried as capital stock. The deposits on the day of his death amounted to \$293,850.32; notes and post notes of the Bank carried as cash, \$728,662.50; notes filled up and signed but not issued and not entered on the books, \$732,300. These notes, save two, as well as all sheets of notes unsigned, were burned, and all plates used to print notes and post notes were destroyed. The two bank notes saved were finally deposited in the cornerstone of Girard College. Debts due the Bank amounted to \$3,479,961. To press for an immediate settlement of so large a sum would have caused great distress to the debtors, for the revolutions in Belgium and France and affairs at home had produced a tight money market, and much commercial embarrassment.

The effect which the closing of the Bank had on the business world was at once shown by a notice which appeared in the city newspapers on the day Girard was carried to his tomb.

“The Merchants, manufacturers & others of the City of Philadelphia who approve of applying to the Legislature for the Charter of a Bank, with a capital adequate to meet the deficiency occasioned by the withdrawal of the Banking capital of the late Stephen Girard, Esq., are requested to attend a Meeting at the Merchant's Coffee House, on Saturday afternoon at 3 o'clock, the 31st of December 1831.”

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At that meeting resolutions were adopted setting forth that the withdrawal of "so large a sum at once from circulation" would, in the best of times, subject many persons to great embarrassment, but at the present, when the demand for money "is known to be greater than for many years past," it was especially "oppressive" and "severe"; that it was therefore "of the utmost importance" to "all interested in the trade and prosperity of this City and adjoining districts, that a bank be established with as much promptness as may be expedient, and with a capital adequate to supply the deficiency," and that a committee petition the Legislature for a charter "incorporating a new bank with a capital of Three Millions of Dollars."

The memorial set forth that the rapid increase in the size, population and business of Philadelphia would long since have made necessary more banking capital had it not been that Stephen Girard's Bank, "by furnishing nearly Four Millions of dollars in aid of the concerns of the actual business men of this community, has supplied, in a great measure, a deficiency which would have otherwise undoubtedly existed, and which would long since have rendered indispensable an application to the Legislature" for one or more banks; "that by the recent death of Mr. Girard, it has become necessary that the establishment conducted by him should be brought to a close, and that some new means should be devised to supply the deficiency which must ensue in banking capital." Hence the application for a charter for the "Girard Bank."

Such promptness gave offense to certain persons who now proceeded to organize an opposition party.

"The Merchants, Manufacturers, Mechanics, Traders, and others of the City and County of Philadelphia, who are favorable to the incorporation of a Bank to supply the

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place of the Bank of the late Stephen Girard Esq., and who are opposed to the proceedings of the late meeting at the Coffee House, are requested to attend a City and County meeting at the County Court House, corner of 6th and Chestnut Streets, on Wednesday afternoon, next, the 4th instant, at 4 o'clock precisely."

At that meeting the objections stated were, that the gathering at the Coffee House was held "at a time unnecessarily early," that its proceedings were "precipitate"; that various interests vitally concerned were not fully represented; that the proposed capital of \$3,000,000 was too large. It was then resolved that "the dissolution of the Bank, lately conducted with so much usefulness to the public by our lamented fellow citizen Stephen Girard, has suddenly and at a very momentous crisis, deprived this community of a large amount of capital that had been actively and liberally employed and which from experience is known to be indispensable"; and that a committee draft a memorial to the Legislature praying for a charter for the Girard Bank on such principles as the meeting approved.

The Bank, with a capital of \$1,500,000, was duly chartered, in April, 1832; the directors were chosen in July, and application at once was made to rent the Banking House of Girard for three years. The building formed part of the estate willed to the City of Philadelphia, and that it might be rented to the new Bank, the Trustees of Stephen Girard's Bank resolved, "that the authorities of the City of Philadelphia may have legal possession of the said Banking House, *in order that they may let the same to the Girard Bank,*" the Trustees to occupy such part as might be deemed necessary. The city thereupon let the building to the Girard Bank for \$4000 per annum, and August 23, 1832, it opened for business.

In order to redeem the notes and post notes of the

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Bank, notices were published for one month in certain newspapers in Boston, New York, Philadelphia, Baltimore, Charleston and New Orleans summoning all persons, and bodies politic and corporate, to present all notes at the Bank for redemption, and in course of the year \$117,857.50 were paid and burned.

On the books of the Bank the Trustees found certain pieces of real estate carried as capital stock. One of them was the coal lands on which improvements were under way, and money due for improvements already made. That Councils might be informed of this a letter was addressed to each branch setting forth, "that there are certain real estates belonging to the estate of Stephen Girard which stand on the books of his bank as Capital Stock"; and that "there are circumstances connected with some of them which seem to require early attention"; and requesting the appointment of a committee to receive such information as the Trustees could give.

Mr. Binney was then asked if the Trustees had power to pay for the improvements already furnished, to which he answered, yes; and if the Trustees might continue those under way, to which he answered, no. Councils having appointed a joint Committee, these facts were laid before it, and in time the City Treasurer was authorized to receive such title deeds and "muniments of title" as the Trustees might deliver to him. Eight bundles of such papers were accordingly turned over to the City.

January 14, 1837, the Trustees finally settled their accounts and adjourned *sine die*. A receipt book kept by them shows that the Executors acknowledged the transfer to them of personal property worth \$3,994,173.38, and real estate, held as capital stock, valued at \$321,707.60. In this was included the coal lands on the Mahanoy taken at cost, \$167,459.

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The Executors, Timothy Paxson, Thomas P. Cope, Joseph Roberts, William J. Duane, John A. Barclay, qualified on the last day of 1831, and January first, 1832, proceeded to the discharge of their duties. A letter was sent to the Mayor informing him that the city was entitled to receive rents that had become due since the death of Girard; a schedule of real estate in the City and County of Philadelphia, devised to the city, with the names of tenants and rent due, was enclosed, and the Mayor reminded that some action on the part of the Legislature would be necessary to enable the city to execute certain trusts. The letter and documents were laid before Select and Common Councils which appointed a Joint Committee to report what measures ought to be taken to enable the Corporation to execute the trust created by Girard.

On the schedule of real estate were some seventy-five shops, dwellings and warehouses, the quarterly rent for which, then due, amounted to \$38,217. Councils were informed that when Girard made his will he intended that the square between Market and Chestnut, 11th and 12th Streets should be the site of the College, and should be surrounded by a brick wall; that after the purchase of the Peel Hall estate of 45 acres he designated that as the site of the College, and to render the entire site as secure from intrusion as possible, give the orphans ample space for exercise and provide room for agricultural and mechanical pursuits, the testator intended the tract should be surrounded by a stone wall, and had opened a quarry on the estate and begun to provide the stone. The building of the wall would make it necessary to close any streets intended to be cut through the land in Penn Township. The Executors therefore hoped Councils would seek to obtain the passage of a law to prevent the opening of any streets.

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Another schedule of real estate was sent the Mayor, a little later, and by him was laid before Councils. This comprised lands and dwellings of which Girard died seized, but acquired by him after the republication of his will, June 20th, 1831. The value of all this was \$67,273.16. There were, moreover, 32 parcels of land in Passyunk, Penn Township and Manayunk, in all 610.28 acres. The Chestnut-Market Streets square required prompt attention, for, although in his 82d year, he had begun to improve it, had caused trees to be cut down, preparations for brick-making from clay on the site to be started, plans for stores and dwellings to be drawn, estimates of cost to be furnished, and had even engaged superintendents and agents and entered into contracts for the work. Steps should therefore be promptly taken to carry on this work.

Councils thereupon adopted the report of their committee, instructed the Mayor to take charge of the real estate and rent rolls, notify the tenants and manage the renting of all unrented buildings. The City Treasurer was to receive the title and "muniments of title" as the "Executors might deliver," and collect all monies due as rents, and on April, 1832, created the "Directors of the Girard Trust" and appointed a treasurer for the "Girard Trust," to whom thereafter all transfers of property were made. The same bodies further resolved that the improvements on the Market-Chestnut Streets square should be carried out as intended by Girard, that the buildings under way be finished and that the Executors "be allowed to enter upon and occupy for the purpose aforesaid the lot on Chestnut Street."

The unnamed vessel on the stocks was sold for a sum equal to the money already expended on her, \$12,000. As soon as they came in from sea the three remaining ships were sold at auction, the *North America* for \$12,900,

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the *Helvetius* for \$6,600 and the *Rousseau* for \$9,400. She was purchased by a New Bedford firm and became a whaler, and was still in service in 1893.

After the payment of the legacies, the transfer of stocks and real estate, sale of the ships, goods, wares and merchandise, little remained for the Executors to do, save close the accounts with correspondents at Bordeaux, Havre, Paris, Hamburg, London, Liverpool, with his captains and correspondents in the United States, and care for the erection of the buildings on the square. These consisted of sixteen dwellings on Chestnut Street completed in July, 1834; twenty-two stores on Market or High Street, finished October, 1834; twenty dwellings on the south side of Girard Street, completed in December, 1835, and twenty on the north side of Girard Street, which were roofed in but unfinished when in December, 1835, some \$600,000 had been expended and the Executors were without funds, and \$46,598 in debt. When finally completed in 1838, the cost of the seventy-eight buildings was \$814,506.40.

By March, 1838, when the auditors of the accounts of the Executors reported, \$4,957,398.63 was the gross amount of personal assets that had come into their hands. Of this, \$3,658,619.19 had been received from the Trustees of the Bank in stock, money, and investments of money. The cost of his real estate everywhere was \$1,741,834.46. The value of the estate was therefore \$6,699,233.09. The name of Mrs. Girard does not appear in the will. She died in the Pennsylvania Hospital, September 13th, 1815.

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